

House Engrossed

CTEDs; average daily membership

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
First Regular Session  
2021

**CHAPTER 416**  
**HOUSE BILL 2124**

AN ACT

AMENDING SECTIONS 15-341.01, 15-393 AND 15-393.01, ARIZONA REVISED  
STATUTES; RELATING TO CAREER 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. Section 15-341.01, Arizona Revised Statutes, is amended  
3 to read:

4 15-341.01. One hundred eighty day school year; definition

5 A. Notwithstanding any other law AND EXCEPT AS PRESCRIBED IN  
6 SECTION 15-393, SUBSECTION D, PARAGRAPH 5, school instruction shall be  
7 conducted in each public school in this state for school sessions that  
8 total at least one hundred eighty days each school year. The  
9 superintendent of public instruction shall cause all relevant school  
10 funding formulas to be adjusted to reflect instruction on the one hundred  
11 eighty days' equivalency. The department of education shall adjust the  
12 amount of state aid distributed to school districts pursuant to section  
13 15-971 to correspond to the increased number of school days prescribed by  
14 this section.

15 B. For the purposes of this section, "one hundred eighty days"  
16 means one hundred eighty days of instruction or an equivalent number of  
17 minutes of instruction per school year based on a different number of days  
18 of instruction approved by the school district governing board or charter  
19 school governing body.

20 Sec. 2. Section 15-393, Arizona Revised Statutes, is amended to  
21 read:

22 15-393. Career technical education district governing board;  
23 report; definitions

24 A. The management and control of a career technical education  
25 district are vested in the career technical education district governing  
26 board, including the content and quality of the courses offered by the  
27 district, the quality of teachers who provide instruction on behalf of the  
28 district, the salaries of teachers who provide instruction on behalf of  
29 the district and the reimbursement of other entities for the facilities  
30 used by the district. This section does not restrict a school district  
31 from offering any career and technical education course that does not  
32 qualify for funding as a career technical education course or career  
33 technical education district program. Unless the governing boards of the  
34 school districts participating in the formation of the career technical  
35 education district vote to implement an alternative election system as  
36 provided in subsection B of this section, the career technical education  
37 board ~~shall consist~~ CONSISTS of five members elected from five single  
38 member districts formed within the career technical education district.  
39 The single member district election system shall be submitted as part of  
40 the plan for the career technical education district pursuant to section  
41 15-392 and shall be established in the plan as follows:

42 1. The governing boards of the school districts participating in  
43 the formation of the career technical education district shall define the  
44 boundaries of the single member districts so that the single member  
45 districts are as nearly equal in population as is practicable, except that

1 if the career technical education district lies in part in each of two or  
2 more counties, at least one single member district may be entirely within  
3 each of the counties comprising the career technical education district if  
4 this district design is consistent with the obligation to equalize the  
5 population among single member districts.

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

9 3. A person who is a registered voter of this state and who is a  
10 resident of the single member district is eligible for election to the  
11 office of career technical education board member from the single member  
12 district. The terms of office of the members of the career technical  
13 education board shall be as prescribed in section 15-427, subsection B.  
14 An employee of a career technical education district or the spouse of an  
15 employee shall not hold membership on a governing board of a career  
16 technical education district by which the employee is employed. A member  
17 of one school district governing board or career technical education  
18 district governing board is ineligible to be a candidate for nomination or  
19 election to or serve simultaneously as a member of any other governing  
20 board, except that a member of a governing board may be a candidate for  
21 nomination or election for any other governing board if the member is  
22 serving in the last year of a term of office. A member of a governing  
23 board shall resign the member's seat on the governing board before  
24 becoming a candidate for nomination or election to the governing board of  
25 any other school district or career technical education district, unless  
26 the member of the governing board is serving in the last year of a term of  
27 office. Members of a career technical education district governing board  
28 are subject to the conflict of interest requirements prescribed in section  
29 38-503.

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

32 B. The governing boards of the school districts participating in  
33 the formation of the career technical education district may vote to  
34 implement any other alternative election system for the election of career  
35 technical education district board members. If an alternative election  
36 system is selected, it shall be submitted as part of the plan for the  
37 career technical education district pursuant to section 15-392, and the  
38 implementation of the system shall be as approved by the United States  
39 justice department.

40 C. ~~The Career technical education district shall be~~ DISTRICTS ARE  
41 subject to the following provisions of this title:

- 42 1. Chapter 1, articles 1 through 6.
- 43 2. Sections 15-208, 15-210, 15-213 and 15-234.
- 44 3. Articles 2, 3 and 5 of this chapter.
- 45 4. Section 15-361.

- 1           5. Chapter 4, articles 1, 2 and 5.
- 2           6. Chapter 5, articles 1 and 3.
- 3           7. Sections 15-701.01, 15-722, 15-723, 15-724, 15-727, 15-728,
- 4 15-729 and 15-730.
- 5           8. Chapter 7, article 5.
- 6           9. Chapter 8, articles 1, 3 and 4.
- 7           10. Sections 15-828 and 15-829.
- 8           11. Chapter 9, article 1, article 6, except for section 15-995, and
- 9 article 7.
- 10          12. Sections 15-941, 15-943.01, 15-952, 15-953 and 15-973.
- 11          13. Sections 15-1101 and 15-1104.
- 12          14. Chapter 10, articles 2, 3, 4 and 8.
- 13          D. Notwithstanding subsection C of this section, the following
- 14 apply to a career technical education district:
- 15           1. A career technical education district may issue bonds for the
- 16 purposes specified in section 15-1021 and in chapter 4, article 5 of this
- 17 title to an amount in the aggregate, including the existing indebtedness,
- 18 not exceeding one percent of the net assessed value of the full cash value
- 19 of the property within the career technical education district. For the
- 20 purposes of this paragraph, "full cash value" and "net assessed value"
- 21 have the same meanings prescribed in section 42-11001.
- 22           2. The number of governing board members for a career technical
- 23 education district shall be as prescribed in subsection A of this section.
- 24           3. The student count for the first year of operation of a career
- 25 technical education district as provided in this article shall be
- 26 determined as follows:
- 27           (a) Determine the estimated student count for career technical
- 28 education district classes that will operate in the first year of
- 29 operation. This estimate shall be based on actual registration of pupils
- 30 as of March 30 scheduled to attend classes that will be operated by the
- 31 career technical education district. The student count for the school
- 32 district of residence of the pupils registered at the career technical
- 33 education district shall be adjusted. The adjustment shall cause the
- 34 school district of residence to reduce the student count for the pupil to
- 35 reflect the courses to be taken at the career technical education
- 36 district. The school district of residence shall review and approve the
- 37 adjustment of its own student count as provided in this subdivision before
- 38 the pupils from the school district can be added to the student count of
- 39 the career technical education district.
- 40           (b) The student count for the new career technical education
- 41 district shall be the student count as determined in subdivision (a) of
- 42 this paragraph.
- 43           (c) For the first year of operation, the career technical education
- 44 district shall revise the student count to the actual average daily
- 45 membership as prescribed in section 15-901, subsection A, paragraph 1 for

1 students attending classes in the career technical education district. A  
2 career technical education district shall revise its student count, the  
3 base support level as provided in section 15-943.02, the revenue control  
4 limit as provided in section 15-944.01 and the district additional  
5 assistance as provided in section 15-962.01 before May 15. A career  
6 technical education district that overestimated its student count shall  
7 revise its budget before May 15. A career technical education district  
8 that underestimated its student count may revise its budget before May 15.

9 (d) After March 15 of the first year of operation, the school  
10 district of residence shall adjust its student count by reducing it to  
11 reflect the courses actually taken at the career technical education  
12 district. The school district of residence shall revise its student  
13 count, the base support level as provided in section 15-943, the revenue  
14 control limit as provided in section 15-944 and the district additional  
15 assistance as provided in section 15-962.01 prior to May 15. A district  
16 that underestimated the student count for students attending the career  
17 technical education district shall revise its budget before May 15. A  
18 district that overestimated the student count for students attending the  
19 career technical education district may revise its budget before May 15.

20 (e) The procedures for implementing this paragraph shall be as  
21 prescribed in the uniform system of financial records.

22 (f) Pupils in an approved career technical education district  
23 centralized program may generate an average daily membership of 1.0 during  
24 any day of the week and at any time between July 1 and June 30 of each  
25 fiscal year. For the purposes of this paragraph, "school district of  
26 residence" means the school district that included the pupil in its  
27 average daily membership for the year before the first year of operation  
28 of the career technical education district and that would have included  
29 the pupil in its student count for the purposes of computing its base  
30 support level for the fiscal year of the first year of operation of the  
31 career technical education district if the pupil had not enrolled in the  
32 career technical education district.

33 4. A student includes any person enrolled in the career technical  
34 education district without regard to the person's age or high school  
35 graduation status, except that:

36 (a) A student in a kindergarten program or in any of grades one  
37 through nine who enrolls in courses offered by the career technical  
38 education district shall not be included in the career technical education  
39 district's student count or average daily membership.

40 (b) A student in a kindergarten program or in any of grades one  
41 through nine who is enrolled in career and technical education courses  
42 shall not be funded in whole or in part with monies provided by a career  
43 technical education district, except that a pupil in grade eight or nine  
44 may be funded with monies generated by the ~~five-cent~~ \$.05 qualifying tax  
45 rate authorized in subsection F of this section.

1 (c) A student who has graduated from high school or received a  
2 general equivalency diploma or who is over twenty-one years of age shall  
3 not be included in the student count of the career technical education  
4 district for the purposes of chapter 9, articles 3, 4 and 5 of this title.

5 (d) A student who is enrolled in any internship course as part of a  
6 career technical education district program shall not be included in the  
7 student count of the career technical education district for that  
8 internship course for the purposes of chapter 9, articles 3, 4 and 5 of  
9 this title.

10 5. A career technical education district may operate for more than  
11 one hundred eighty days per year, **OR LESS**, with ~~expanded hours of service~~  
12 **THE EQUIVALENT NUMBER OF HOURS OF INSTRUCTION.**

13 6. A career technical education district may use the carryforward  
14 provisions of section 15-943.01.

15 7. A school district that is part of a career technical education  
16 district shall use any monies received pursuant to this article to  
17 supplement and not supplant base year career and technical education  
18 courses, and directly related equipment and facilities, except that a  
19 school district that is part of a career technical education district and  
20 that has used monies received pursuant to this article to supplant career  
21 and technical education courses that were offered before the first year  
22 that the school district participated in the career technical education  
23 district or the first year that the school district used monies received  
24 pursuant to this article or that used the monies for purposes other than  
25 for career and technical education courses shall use one hundred percent  
26 of the monies received pursuant to this article to supplement and not  
27 supplant base year career and technical education courses. Each  
28 applicable school district shall provide a report to the career technical  
29 education board and the department of education outlining the required  
30 maintenance of effort and how monies were used to supplement and not  
31 supplant base year career and technical education courses and directly  
32 related equipment and facilities.

33 8. A career technical education district shall use any monies  
34 received pursuant to this article to enhance and not supplant career and  
35 technical education courses and directly related equipment and facilities.

36 9. A career technical education district or a school district that  
37 is part of a career technical education district or a charter school shall  
38 only include pupils in grades ten through twelve in the calculation of  
39 student count or average daily membership if the pupils are enrolled in  
40 courses that are approved jointly by the governing board of the career  
41 technical education district and each participating school district or  
42 charter school for satellite courses taught within the participating  
43 school district or charter school, or approved solely by the career  
44 technical education district for centrally located courses. Student count  
45 and average daily membership from courses that are not part of an approved

1 program for career and technical education shall not be included in  
2 student count and average daily membership of a career technical education  
3 district.

4 E. The career technical education board shall appoint a  
5 superintendent as the executive officer of the career technical education  
6 district.

7 F. Taxes may be levied for the support of the career technical  
8 education district as prescribed in chapter 9, article 6 of this title,  
9 except that a career technical education district shall not levy a  
10 property tax pursuant to law that exceeds ~~five cents~~ \$.05 per ~~one hundred~~  
11 ~~dollars~~ \$100 assessed valuation except for bond monies pursuant to  
12 subsection D, paragraph 1 of this section. Except for the taxes levied  
13 pursuant to section 15-994, such taxes shall be obtained from a levy of  
14 taxes on the taxable property used for secondary tax purposes.

15 G. The schools in the career technical education district are  
16 available to all persons who reside in the career technical education  
17 district and to pupils whose school district of residence within this  
18 state is paying tuition on behalf of the pupils to a district of  
19 attendance that is a member of the career technical education district,  
20 subject to the rules for admission prescribed by the career technical  
21 education board.

22 H. The career technical education board may collect tuition for  
23 adult students and the attendance of pupils who are residents of school  
24 districts that are not participating in the career technical education  
25 district pursuant to arrangements made between the governing board of the  
26 school district and the career technical education board.

27 I. The career technical education board may accept gifts, grants,  
28 federal monies, tuition and other allocations of monies to erect, repair  
29 and equip buildings and for the cost of ~~operation of~~ OPERATING the schools  
30 of the career technical education district.

31 J. One member of the career technical education board shall be  
32 selected chairman. The chairman shall be selected annually on a rotation  
33 basis from among the participating school districts. The chairman of the  
34 career technical education board shall be a voting member.

35 K. A career technical education board and a community college  
36 district may enter into agreements ~~for the provision of~~ TO PROVIDE  
37 administrative, operational and educational services and facilities.

38 L. Any agreement between the governing board of a career technical  
39 education district and another career technical education district, a  
40 school district, a charter school or a community college district shall be  
41 in the form of an intergovernmental agreement or other written  
42 contract. The auditor general shall modify the uniform system of  
43 financial records and budget forms in accordance with this subsection.  
44 The intergovernmental agreement or other written contract shall completely  
45 and accurately specify each of the following:

- 1           1. The financial provisions of the intergovernmental agreement or  
2 other written contract and the format for the billing of all services.
- 3           2. The accountability provisions of the intergovernmental agreement  
4 or other written contract.
- 5           3. The responsibilities of each career technical education  
6 district, each school district, each charter school and each community  
7 college district that is a party to the intergovernmental agreement or  
8 other written contract.
- 9           4. The type of instruction that will be provided under the  
10 intergovernmental agreement or other written contract, including  
11 individualized education programs pursuant to section 15-763.
- 12          5. The quality of the instruction that will be provided under the  
13 intergovernmental agreement or other written contract.
- 14          6. The transportation services that will be provided under the  
15 intergovernmental agreement or other written contract and the manner in  
16 which transportation costs will be paid.
- 17          7. The amount that the career technical education district will  
18 contribute to a course and the amount of support required by the school  
19 district, ~~THE CHARTER SCHOOL~~ or the community college.
- 20          8. That the services provided by the career technical education  
21 district, the school district, the charter school or the community college  
22 district be proportionally calculated in the cost of delivering the  
23 service.
- 24          9. That the payment for services shall not exceed the cost of the  
25 services provided.
- 26          10. That the career technical education district will provide the  
27 following minimum services for all member districts:
  - 28           (a) Professional development of career and technical teachers in  
29 the career technical education district who are teaching programs or  
30 courses at a satellite campus.
  - 31           (b) Ongoing evaluation and support of satellite campus programs and  
32 courses to ensure quality and compliance.
- 33          11. An itemized listing of other goods and services that are  
34 provided to the member district and that are paid for by the retention of  
35 satellite campus student funding.
- 36          M. A member school district or charter school may not submit  
37 requests ~~for the approval~~ TO APPROVE or ~~addition of~~ ADD satellite campus  
38 career technical education district programs or courses directly to the  
39 career and technical education division of the department of education,  
40 but shall submit all appropriate application documentation and materials  
41 for programs or courses to the career technical education district. On  
42 approval from the career technical education board, a career technical  
43 education district shall only submit requests ~~for the approval~~ TO APPROVE  
44 or ~~addition of~~ ADD satellite campus career technical education district  
45 programs or courses directly to the career and technical education



1 division of the department of education, which shall determine whether the  
2 criteria prescribed in section 15-391, paragraphs 2 and 4 have been met.  
3 If the career and technical education division of the department of  
4 education determines that a course does not meet the criteria for approval  
5 as a career technical education course, the governing board of the career  
6 technical education district may appeal this decision to the state board  
7 of education acting as the state board of vocational education.

8 N. Notwithstanding any other law, the average daily membership for  
9 a pupil who is enrolled in a career technical education course and who  
10 does not meet the criteria specified in subsection P or Q of this section  
11 shall be 0.25 for each course, except the sum of the average daily  
12 membership shall not exceed the limits prescribed by subsection D, P or Q  
13 of this section, as applicable.

14 O. If a career and technical education course or program is  
15 provided on a satellite campus, the sum of the average daily membership,  
16 as provided in section 15-901, subsection A, paragraph 1, for that pupil  
17 in the school district or charter school and career technical education  
18 district shall not exceed 1.25. The school district or charter school and  
19 the career technical education district shall determine the apportionment  
20 of the average daily membership for that pupil between the school district  
21 or charter school and the career technical education district. A pupil  
22 who attends a course or program at a satellite campus and who is not  
23 enrolled in the school district or charter school where the satellite  
24 campus is located may generate the average daily membership UP TO 0.25 FOR  
25 ONE HUNDRED FIFTY HOURS OF INSTRUCTION RECEIVED DURING ANY HOUR OF THE  
26 DAY, DURING ANY DAY OF THE WEEK AND AT ANY TIME BETWEEN JULY 1 AND JUNE 30  
27 OF EACH FISCAL YEAR pursuant to this subsection if the pupil is enrolled  
28 in a school district that is a member district in the same career  
29 technical education district.

30 P. The sum of the average daily membership of a pupil who is  
31 enrolled in both the school district and career technical education course  
32 or career technical education program provided ~~at~~ BY a community college  
33 pursuant to subsection K of this section or at a centralized campus shall  
34 not exceed 1.75. THE AVERAGE DAILY MEMBERSHIP FOR A PUPIL WHO IS ENROLLED  
35 IN A CAREER TECHNICAL EDUCATION COURSE OR CAREER TECHNICAL EDUCATION  
36 PROGRAM PROVIDED BY A COMMUNITY COLLEGE SHALL BE 0.25 FOR THE ACCUMULATION  
37 OF EVERY THREE COMMUNITY COLLEGE CREDITS FOR WHICH A STUDENT IS ENROLLED  
38 IN CAREER TECHNICAL EDUCATION COURSES. The member school district and the  
39 career technical education district shall determine the apportionment of  
40 the average daily membership and student enrollment for that pupil between  
41 the member school district and the career technical education district,  
42 except that the amount apportioned shall not exceed 1.0 for either entity.  
43 Notwithstanding any other law, the average daily membership for a pupil in  
44 grade ten, eleven or twelve who is enrolled in a course that meets for at  
45 least one hundred fifty minutes per class period at a centralized campus

1 shall be 0.75. To qualify for funding pursuant to this subsection, a  
2 centralized campus shall offer programs and courses to all eligible  
3 students in each member district of the career technical education  
4 district. STUDENTS IN AN APPROVED CAREER TECHNICAL EDUCATION PROGRAM MAY  
5 GENERATE AN AVERAGE DAILY MEMBERSHIP OF UP TO 1.75 FOR INSTRUCTION  
6 RECEIVED DURING ANY HOUR OF THE DAY, DURING ANY DAY OF THE WEEK AND AT ANY  
7 TIME BETWEEN JULY 1 AND JUNE 30 OF EACH FISCAL YEAR. AVERAGE DAILY  
8 MEMBERSHIP SHALL NOT BE CALCULATED ON THE ONE HUNDREDTH DAY OF INSTRUCTION  
9 FOR THE PURPOSES OF THIS SECTION. AVERAGE DAILY MEMBERSHIP SHALL BE  
10 CALCULATED BY DIVIDING THE INSTRUCTIONAL HOURS OF ENROLLMENT BY SIX  
11 HUNDRED HOURS, EXCEPT THAT:

- 12 1. AT LEAST ONE HUNDRED FIFTY HOURS AND LESS THAN THREE HUNDRED  
13 HOURS EQUALS 0.25 AVERAGE DAILY MEMBERSHIP.
- 14 2. AT LEAST THREE HUNDRED HOURS AND LESS THAN FOUR HUNDRED FIFTY  
15 HOURS EQUALS 0.5 AVERAGE DAILY MEMBERSHIP.
- 16 3. AT LEAST FOUR HUNDRED FIFTY HOURS AND LESS THAN SIX HUNDRED  
17 HOURS EQUALS 0.75 AVERAGE DAILY MEMBERSHIP.
- 18 4. AT LEAST SIX HUNDRED HOURS EQUALS 1.0 AVERAGE DAILY MEMBERSHIP.

19 Q. The average daily membership for a pupil in grade ten, eleven or  
20 twelve who is enrolled in a course that meets for at least one hundred  
21 fifty minutes per class period at a leased centralized campus shall not  
22 exceed 0.75. STUDENTS IN AN APPROVED CAREER TECHNICAL EDUCATION PROGRAM  
23 PROVIDED BY A LEASED CENTRALIZED CAMPUS MAY GENERATE AN AVERAGE DAILY  
24 MEMBERSHIP FOR INSTRUCTION RECEIVED DURING ANY HOUR OF THE DAY, DURING ANY  
25 DAY OF THE WEEK AND AT ANY TIME BETWEEN JULY 1 AND JUNE 30 OF EACH FISCAL  
26 YEAR. AVERAGE DAILY MEMBERSHIP SHALL BE CALCULATED BY DIVIDING THE  
27 INSTRUCTIONAL HOURS OF ENROLLMENT BY SIX HUNDRED HOURS, EXCEPT THAT:

- 28 1. AT LEAST ONE HUNDRED FIFTY HOURS AND LESS THAN THREE HUNDRED  
29 HOURS EQUALS 0.25 AVERAGE DAILY MEMBERSHIP.
- 30 2. AT LEAST THREE HUNDRED HOURS AND LESS THAN FOUR HUNDRED FIFTY  
31 HOURS EQUALS 0.5 AVERAGE DAILY MEMBERSHIP.
- 32 3. AT LEAST FOUR HUNDRED FIFTY HOURS AND LESS THAN SIX HUNDRED  
33 HOURS EQUALS 0.75 AVERAGE DAILY MEMBERSHIP.
- 34 4. AT LEAST SIX HUNDRED HOURS EQUALS 1.0 AVERAGE DAILY MEMBERSHIP.

35 R. The sum of the average daily membership, as provided in section  
36 15-901, subsection A, paragraph 1, of a pupil who is enrolled in both the  
37 school district and in career technical education courses provided at a  
38 leased centralized campus shall not exceed 1.75 if all of the following  
39 conditions are met:

- 40 1. The course qualifies as a career technical education course.
- 41 2. The course is offered to all eligible students in each member  
42 district of the career technical education district and enrolls students  
43 from multiple high schools.

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

5           4. The lease is established at fair market value if the lease is  
6 executed for a facility located on the site of a member district and was  
7 approved by the joint committee on capital review, except that a lease  
8 that was executed or renewed before December 31, 2012 is not subject to  
9 approval by the joint committee on capital review.

10          ~~R~~. S. A student who is enrolled in an accommodation school may be  
11 treated as a student of the school district in which the student  
12 physically resides for the purposes of enrollment in a career technical  
13 education district and shall be included in the calculation of average  
14 daily membership for either the career technical education district or the  
15 accommodation school, or both.

16          ~~S~~. T. Notwithstanding any other law, the student count for a  
17 career technical education district shall be equivalent to the career  
18 technical education district's average daily membership. STUDENTS IN AN  
19 APPROVED CAREER TECHNICAL EDUCATION PROGRAM PROVIDED BY A SATELLITE  
20 CAMPUS, CENTRALIZED CAMPUS OR LEASED CENTRALIZED CAMPUS MAY GENERATE AN  
21 AVERAGE DAILY MEMBERSHIP OF UP TO 1.75 FOR INSTRUCTION RECEIVED DURING ANY  
22 HOUR OF THE DAY, DURING ANY DAY OF THE WEEK AND AT ANY TIME BETWEEN JULY 1  
23 AND JUNE 30 OF EACH FISCAL YEAR. AVERAGE DAILY MEMBERSHIP SHALL NOT BE  
24 CALCULATED ON THE ONE HUNDREDTH DAY OF INSTRUCTION FOR THE PURPOSES OF  
25 THIS SECTION. THE DEPARTMENT MAY NOT RESTRICT THE INSTRUCTIONAL TIME BY  
26 LIMITING THE PARTICULAR DAYS OF THE WEEK OR TIME OF THE FISCAL YEAR FOR  
27 INSTRUCTION TO OCCUR.

28          ~~T~~. U. A school district or charter school may not prohibit or  
29 discourage students who are enrolled in that school district or charter  
30 school from attending courses offered by a career technical education  
31 district, including requiring students to generate a full 1.0 average  
32 daily membership or to enroll in more courses than are needed to graduate  
33 before enrolling in and attending programs or courses offered by a career  
34 technical education district.

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

40          ~~V~~. W. Beginning in 2020 and every five years thereafter, the  
41 career and technical education division of the department of education  
42 shall review career technical education district programs and career  
43 technical education courses to ensure compliance, quality and  
44 eligibility. Any program or course deemed to not meet the requirements  
45 set forth by law shall not be funded for the current school year and shall

1 be removed from the approved program and course list for the purposes of  
2 funding. The career and technical education division may establish a  
3 staggered schedule for reviewing each career technical education district.

4 ~~W.~~ X. For the purposes of this section:

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

7 2. "Centralized campus" means a facility that is owned and operated  
8 by a career technical education district ~~for the purpose of offering TO~~  
9 ~~OFFER~~ career technical education district programs or career technical  
10 education courses.

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

14 4. "Leased centralized campus" means a facility that is leased and  
15 operated by a career technical education district for the purpose of  
16 offering career technical education district programs or career technical  
17 education courses.

18 5. "Satellite campus" means a facility that is owned or operated by  
19 a school district or charter school ~~for the purpose of offering TO OFFER~~  
20 ~~career technical education district programs or career technical education~~  
21 ~~courses.~~

22 Sec. 3. Section 15-393.01, Arizona Revised Statutes, is amended to  
23 read:

24 15-393.01. Career technical education districts; annual  
25 report; performance and accountability

26 A. The department of education shall include each career technical  
27 education district in the department's annual achievement profiles  
28 required by section 15-241. Subject to approval by the state board of  
29 education, the department of education shall develop specific criteria  
30 applicable to career technical education districts that may not be based  
31 solely on the criteria prescribed in the Carl D. Perkins vocational  
32 education act, as amended by the Carl D. Perkins vocational and applied  
33 technology education act amendments of 1990, as amended by the Carl D.  
34 Perkins vocational and technical education act of 1998, and shall include  
35 career technical education districts in the letter grade classification  
36 system prescribed in section 15-241. The department shall include all of  
37 the following performance indicators in the annual achievement profiles  
38 and letter grade classification and provide a copy of the information to  
39 each career technical education district governing board:

40 1. The graduation rate of all students enrolled in a career and  
41 technical education program or course.

42 2. The completion rate for each program offered by the career  
43 technical education district.

44 3. Performance on assessments required pursuant to section 15-391,  
45 paragraph 4, subdivision (b).

1           4. Postgraduation employment rates, postsecondary enrollment rates  
2 and military service rates for students who complete a career and  
3 technical education program.

4           B. A career technical education district is subject to the  
5 performance audits pursuant to section 41-1279.03, subsection A,  
6 paragraph 9. The auditor general shall consider the differences and  
7 applicable laws for a career technical education district when conducting  
8 a performance audit for a career technical education district.

9           C. On or before December 31 of each year, the career and technical  
10 education division of the department of education shall submit a career  
11 technical education district annual report to the governor, the president  
12 of the senate and the speaker of the house of representatives and shall  
13 submit a copy of this report to the secretary of state. The career and  
14 technical education division of the department of education shall submit a  
15 copy of this report to the joint legislative budget committee for review.  
16 The annual report shall include the following:

17           1. The average daily membership of each career technical education  
18 district, including the average daily membership of each centralized  
19 campus, satellite campus and leased centralized campus as defined in  
20 section 15-393.

21           2. The actual student count of each career technical education  
22 district, including the student count of each centralized campus,  
23 satellite campus and leased centralized campus as defined in section  
24 15-393.

25           3. The programs and corresponding courses offered by each career  
26 technical education district, including the location of each program and  
27 course.

28           4. For each career technical education district based on program or  
29 course location:

30           (a) The student enrollment of each program and corresponding  
31 course.

32           (b) The percentage of students who enrolled in the second year of  
33 each program and corresponding course relative to the number of students  
34 in the same cohort who enrolled in the first year of each program and  
35 corresponding course.

36           (c) The percentage of students who completed each program relative  
37 to the number of students in the same cohort who began the program.

38           5. The costs associated with each program offered by the career  
39 technical education district.

40           6. A listing of any programs or courses that were discontinued by  
41 review of the career and technical education division pursuant to section  
42 15-393, subsection ~~V~~ W.

43           7. A listing of any programs or courses that were continued by  
44 review of the career and technical education division pursuant to section  
45 15-393, subsection ~~V~~ W.

1           8. A listing of any programs or courses that were added by the  
2 career and technical education division.

3           9. For applicable school districts, the required maintenance of  
4 effort and how monies were used to supplement and not supplant base year  
5 career and technical education courses, including expenditures related to  
6 personnel, equipment and facilities.

7           10. Any other data or information deemed necessary by the  
8 department of education.

9           D. The office of the auditor general, in consultation with the  
10 department of education, shall develop and establish uniform cost  
11 reporting guidelines, policies and procedures for career technical  
12 education district programs. Any guideline, policy or procedure shall  
13 allow for the effective comparison of cost between career technical  
14 education district programs.

15           Sec. 4. Legislative findings and intent

16           A. The legislature finds that the unique nature of many career  
17 technical education courses and programs require maximum flexibility in  
18 scheduling to provide access to students. Career technical education  
19 instruction delivery commonly requires block scheduling with longer hours  
20 over a shorter period of time, so instruction may occur over a few months  
21 rather than an entire semester. In an effort to provide efficient  
22 scheduling, career technical education courses may meet on Saturdays in  
23 order to offer the full-day instruction appropriate for a particular  
24 program. This flexibility also gives students more opportunities to  
25 fulfill the hourly obligations required for industry certification by  
26 regulators or a particular trade.

27           B. The intent of section 15-393, Arizona Revised Statutes, as  
28 amended by this act, is to establish clear statutory authority for career  
29 technical education districts to deliver career technical education  
30 instruction any day of the week at any time between July 1 and June 30 of  
31 each fiscal year. The legislature's intent is to offer maximum scheduling  
32 flexibility for career technical education programs to be delivered in  
33 ways that best serve the students.

APPROVED BY THE GOVERNOR JULY 9, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 9, 2021.