

REFERENCE TITLE: K-12 education; 2022-2023.

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1733

Introduced by
Senators Fann: Borrelli, Gowan, Gray, Leach (with permission of Committee
on Rules)

AN ACT

AMENDING SECTION 15-185, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 15-217, 15-217.01, 15-217.02 AND 15-217.03; AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-249.17; AMENDING SECTION 15-393, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 136, SECTION 1; AMENDING SECTIONS 15-901, 15-910, 15-913.01, 15-943 AND 15-945, ARIZONA REVISED STATUTES; REPEALING SECTION 15-952, ARIZONA REVISED STATUTES; AMENDING SECTIONS 15-953, 15-961 AND 15-971, ARIZONA REVISED STATUTES; REPEALING SECTION 15-994, ARIZONA REVISED STATUTES; AMENDING SECTIONS 15-1371 AND 15-1372, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 19, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-2405; AMENDING SECTION 37-521, ARIZONA REVISED STATUTES; AMENDING SECTION 41-1276, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 171, SECTION 1; AMENDING SECTIONS 41-5731 AND 42-17051, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; RELATING TO KINDERGARTEN THROUGH GRADE TWELVE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-185, Arizona Revised Statutes, is amended to
3 read:

4 15-185. Charter schools; financing; civil penalties;
5 transportation; definition

6 A. A school district is not financially responsible for any charter
7 school that is sponsored by the state board of education, the state board
8 for charter schools, a university under the jurisdiction of the Arizona
9 board of regents, a community college district or a group of community
10 college districts.

11 B. Financial provisions for a charter school that is sponsored by
12 the state board of education, the state board for charter schools, a
13 university, a community college district or a group of community college
14 districts are as follows:

15 1. The charter school shall calculate a base support level as
16 prescribed in section 15-943, except that:

17 (a) Section 15-941 does not apply to these charter schools.

18 (b) The small school weights prescribed in section 15-943,
19 paragraph 1 apply if a charter holder holds one charter for one or more
20 school sites and the average daily membership for the school sites are
21 combined for the calculation of the small school weight. The small school
22 weight shall not be applied individually to a charter holder if one or
23 more of the following conditions exist and the combined average daily
24 membership derived from the following conditions is greater than six
25 hundred:

26 (i) The organizational structure or management agreement of the
27 charter holder requires the charter holder or charter school to contract
28 with a specific management company.

29 (ii) The governing body of the charter holder has identical
30 membership to another charter holder in this state.

31 (iii) The charter holder is a subsidiary of a corporation that has
32 other subsidiaries that are charter holders in this state.

33 (iv) The charter holder holds more than one charter in this state.

34 (c) Notwithstanding subdivision (b) of this paragraph, for fiscal
35 years 2015-2016 and 2016-2017, the department of education shall reduce by
36 thirty-three percent the amount provided by the small school weight for
37 charter schools prescribed in subdivision (b) of this paragraph.

38 2. Notwithstanding paragraph 1 of this subsection, the student
39 count shall be determined initially using an estimated student count based
40 on actual registration of pupils before the beginning of the school year.
41 Notwithstanding section 15-1042, subsection F, student level data
42 submitted to the department may be used to determine estimated student
43 counts. After the first forty days, one hundred days or two hundred days
44 in session, as applicable, the charter school shall revise the student
45 count to be equal to the actual average daily membership, as defined in

1 section 15-901, of the charter school. Before the fortieth day, one
2 hundredth day or two hundredth day in session, as applicable, the state
3 board of education, the state board for charter schools, the sponsoring
4 university, the sponsoring community college district or the sponsoring
5 group of community college districts may require a charter school to
6 report periodically regarding pupil enrollment and attendance, and the
7 department of education may revise its computation of equalization
8 assistance based on the report. A charter school shall revise its student
9 count, base support level and charter additional assistance before May 15.
10 A charter school that overestimated its student count shall revise its
11 budget before May 15. A charter school that underestimated its student
12 count may revise its budget before May 15.

13 3. A charter school may use section 15-855 for the purposes of this
14 section. The charter school and the department of education shall
15 prescribe procedures for determining average daily membership.

16 4. Equalization assistance for the charter school shall be
17 determined by adding the amount of the base support level and charter
18 additional assistance. The amount of the charter additional assistance is
19 ~~\$1,897.90~~ \$2,057.32 per student count in preschool programs for children
20 with disabilities, kindergarten programs and grades one through eight and
21 ~~\$2,211.97~~ \$2,397.78 per student count in grades nine through twelve.

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

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

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

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

1 validation of actual enrollment in both a charter school and a public
 2 school that is not a charter school and if the sum of the daily membership
 3 or daily attendance for that pupil is greater than 1.0, the sum shall be
 4 reduced to 1.0 and shall be apportioned between the public school and the
 5 charter school based on the percentage of total time that the pupil is
 6 enrolled or in attendance in the public school and the charter school.
 7 The uniform system of financial records shall include guidelines to
 8 apportion the pupil enrollment and attendance as provided in this section.

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

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

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

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

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

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

19 I. In addition to the withholding of state aid payments pursuant to
20 subsection H of this section, the sponsor of a charter school may impose a
21 civil penalty of \$1,000 per occurrence if a charter school fails to comply
22 with the fingerprinting requirements prescribed in section 15-183,
23 subsection C or section 15-512. The sponsor of a charter school shall not
24 impose a civil penalty if it is the first time the charter school is out
25 of compliance with the fingerprinting requirements and if the charter
26 school provides proof within forty-eight hours after written notification
27 that an application for the appropriate fingerprint check has been
28 received by the department of public safety. The sponsor of the charter
29 school shall obtain proof that the charter school has been notified, and
30 the notification shall identify the date of the deadline and shall be
31 signed by both parties. The sponsor of a charter school shall
32 automatically impose a civil penalty of \$1,000 per occurrence if the
33 sponsor determines that the charter school subsequently violates the
34 fingerprinting requirements. Civil penalties pursuant to this subsection
35 shall be assessed by requesting the department of education to reduce the
36 amount of state aid that the charter school would otherwise receive by an
37 amount equal to the civil penalty. The amount of state aid withheld shall
38 revert to the state general fund at the end of the fiscal year.

39 J. A charter school may receive and spend monies distributed by the
40 department of education pursuant to section 42-5029, subsection E, section
41 42-5029.02, subsection A and section 37-521, subsection B.

42 K. If a school district transports or contracts to transport pupils
43 to the Arizona state schools for the deaf and the blind during any fiscal
44 year, the school district may transport or contract with a charter school
45 to transport sensory impaired pupils during that same fiscal year to a

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

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

13 M. The governing body of a charter school shall transmit a copy of
14 its proposed budget or the summary of the proposed budget and a notice of
15 the public hearing to the department of education for posting on the
16 department of education's website not later than ten days before the
17 hearing and meeting. If the charter school maintains a website, the
18 charter school governing body shall post on its website a copy of its
19 proposed budget or the summary of the proposed budget and a notice of the
20 public hearing.

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

25 O. If allowed by federal law, a charter school may opt out of
26 federal grant opportunities if the charter holder or the appropriate
27 governing body of the charter school determines that the federal
28 requirements impose unduly burdensome reporting requirements.

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

36 Sec. 2. Title 15, chapter 2, article 1, Arizona Revised Statutes,
37 is amended by adding sections 15-217, 15-217.01, 15-217.02 and 15-217.03,
38 to read:

39 15-217. Performance measures; adult education and workforce
40 development programs

41 A. ON OR BEFORE JULY 1, 2024, THE STATE BOARD OF EDUCATION, IN
42 COOPERATION WITH THE DEPARTMENT OF EDUCATION, SHALL ADOPT PERFORMANCE
43 MEASURES TO EVALUATE THE PERFORMANCE OF ADULT EDUCATION AND WORKFORCE
44 DEVELOPMENT PROGRAMS ESTABLISHED UNDER SECTIONS 15-217.01, 15-217.02 AND
45 15-217.03. THE PERFORMANCE MEASURES SHALL INCLUDE:

1 1. MEASUREMENTS OF ADULT LEARNER PROGRESS TOWARD EARNING A HIGH
2 SCHOOL DIPLOMA OR HIGH SCHOOL EQUIVALENCY DIPLOMA.

3 2. THE NUMBER OF HIGH SCHOOL DIPLOMAS OR HIGH SCHOOL EQUIVALENCY
4 DIPLOMAS EARNED.

5 3. THE NUMBER OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED.

6 4. THE NUMBER OF ADULT LEARNERS OR GRADUATES WHO HAVE MATRICULATED
7 AT AN INSTITUTION OF HIGHER LEARNING OR POSTSECONDARY EDUCATIONAL
8 INSTITUTION.

9 5. THE NUMBER OF ADULT LEARNERS OR GRADUATES WHO HAVE NEWLY
10 ACQUIRED EMPLOYMENT, WHO ARE NOW EARNING HIGHER WAGES OR WHO HAVE OBTAINED
11 A BETTER JOB OR A PROMOTION.

12 6. OTHER RELEVANT MEASURES AS ADOPTED BY THE STATE BOARD OF
13 EDUCATION, IN COOPERATION WITH THE DEPARTMENT OF EDUCATION.

14 B. THE PERFORMANCE MEASURES ADOPTED BY THE STATE BOARD OF EDUCATION
15 PURSUANT TO THIS SECTION SHALL BOTH:

16 1. ALLOW FOR A COMPARABLE EVALUATION ACROSS ADULT EDUCATION AND
17 WORKFORCE DEVELOPMENT PROGRAMS.

18 2. TAKE INTO CONSIDERATION THE VARIETY OF LEARNING LEVELS OF ADULT
19 LEARNERS ENTERING THE PROGRAMS.

20 15-217.01. Continuing high school and workforce training
21 program; service providers; program schools;
22 requirements; reporting; enrollment limits;
23 rules

24 A. THE STATE BOARD OF EDUCATION SHALL ESTABLISH A CONTINUING HIGH
25 SCHOOL AND WORKFORCE TRAINING PROGRAM THAT PROVIDES ADULT LEARNERS WITH
26 ALTERNATIVE STUDY SERVICES AND THAT LEADS TO THE ISSUANCE OF A HIGH SCHOOL
27 DIPLOMA AND INDUSTRY-RECOGNIZED CREDENTIALS. THE STATE BOARD OF EDUCATION
28 SHALL AUTHORIZE ELIGIBLE SERVICE PROVIDERS TO PARTICIPATE IN THE
29 CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM AND TO ESTABLISH A
30 PROGRAM SCHOOL IN PARTNERSHIP WITH A SCHOOL DISTRICT OR NONPROFIT CHARTER
31 SCHOOL.

32 B. TO BE ELIGIBLE TO PARTICIPATE IN THE CONTINUING HIGH SCHOOL AND
33 WORKFORCE TRAINING PROGRAM, A SERVICE PROVIDER MUST MEET BOTH OF THE
34 FOLLOWING:

35 1. BE A NONPROFIT CORPORATION THAT IS QUALIFIED AS TAX-EXEMPT
36 PURSUANT TO SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE OR BE AN ADULT
37 EDUCATION PROVIDER THAT IS APPROVED BY THE DIVISION OF ADULT EDUCATION
38 WITHIN THE DEPARTMENT OF EDUCATION.

39 2. DEMONSTRATE AT LEAST A TEN-YEAR HISTORY OF PROVIDING WORKFORCE
40 TRAINING AND CAREER SERVICES IN THIS STATE TO PERSONS WHO ARE AT LEAST
41 EIGHTEEN YEARS OF AGE AND WHOSE EDUCATIONAL AND TRAINING OPPORTUNITIES
42 HAVE BEEN LIMITED BY EDUCATIONAL DISADVANTAGES, DISABILITIES OR OTHER
43 BARRIERS TO EDUCATION, SUCH AS LACK OF RELIABLE AND AFFORDABLE
44 TRANSPORTATION, LACK OF CHILD CARE OR FOOD INSECURITY.

1 C. A HIGH SCHOOL DIPLOMA MAY BE ISSUED PURSUANT TO THIS SECTION
2 ONLY TO AN ADULT LEARNER WHO MEETS ALL THE GRADUATION REQUIREMENTS OF
3 SECTION 15-701.01 AND THE STATE BOARD OF EDUCATION.

4 D. A PROGRAM SCHOOL SHALL MEET ALL APPLICABLE LEGAL REQUIREMENTS
5 PRESCRIBED IN THIS TITLE FOR A PUBLIC SCHOOL, INCLUDING REQUIREMENTS FOR
6 STUDENT ASSESSMENTS AND SPECIAL EDUCATION SERVICES AND PROHIBITIONS
7 AGAINST ADMISSION LIMITS BASED ON ETHNICITY, NATIONAL ORIGIN, GENDER,
8 INCOME LEVEL, DISABLING CONDITION, ENGLISH LANGUAGE PROFICIENCY OR
9 ATHLETIC ABILITY.

10 E. NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT OF EDUCATION SHALL
11 DISTRIBUTE MONIES TO AN APPROVED PROGRAM SCHOOL AS FOLLOWS:

12 1. THE PROGRAM SCHOOL SHALL RECEIVE \$7,700 PER FULL-TIME STUDENT
13 ENROLLED IN THE PROGRAM SCHOOL. PART-TIME STUDENTS SHALL BE FUNDED IN
14 PROPORTION TO THE NUMBER OF ENROLLED COURSES OR HOURS OF INSTRUCTION.

15 2. THE PROGRAM SCHOOL IS ELIGIBLE TO RECEIVE FUNDING FOR ANY ADULT
16 LEARNER REGARDLESS OF AGE.

17 3. THE PROGRAM SCHOOL IS NOT ELIGIBLE FOR ANY OTHER SCHOOL FINANCE
18 FORMULA FUNDING FOR ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL,
19 INCLUDING ANY OF THE FOLLOWING:

20 (a) TRANSPORTATION FUNDING PURSUANT TO SECTION 15-945.

21 (b) ARIZONA ONLINE INSTRUCTION FUNDING PURSUANT TO SECTION 15-808.

22 (c) BASE SUPPORT LEVEL FUNDING PURSUANT TO SECTION 15-943.

23 (d) ADDITIONAL ASSISTANCE.

24 F. THE DEPARTMENT OF EDUCATION SHALL DEVELOP APPLICATION PROCEDURES
25 FOR THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM. THE
26 SERVICE PROVIDER SHALL SUBMIT THE APPLICATION ON BEHALF OF THE PROGRAM
27 SCHOOL. AN APPLICATION SUBMITTED PURSUANT TO THIS SECTION MUST INCLUDE
28 ALL OF THE FOLLOWING:

29 1. A DESCRIPTION OF THE SERVICE PROVIDER'S PARTNERSHIP WITH A
30 SCHOOL DISTRICT OR NONPROFIT CHARTER SCHOOL.

31 2. A DESCRIPTION OF THE PROGRAM SCHOOL'S ADMINISTRATIVE STRUCTURE,
32 PROGRAM ACTIVITIES, PROGRAM STAFF, BUDGET AND SPECIFIC CURRICULUM THAT IS
33 ALIGNED WITH THE STATE ACADEMIC STANDARDS.

34 3. THE PROGRAM SCHOOL'S ACADEMIC CALENDAR AND A SCHEDULE DESCRIBING
35 THE PROGRAM SCHOOL'S LENGTH OF SCHOOL DAY, PROGRAM SEQUENCE,
36 MULTIDISCIPLINARY COURSES, PACE AND INSTRUCTIONAL ACTIVITIES, OR ANY
37 COMBINATION OF THESE ITEMS.

38 4. CONFIRMATION OF THE PROGRAM SCHOOL'S LOCATION AND A DESCRIPTION
39 OF THE PROGRAM SCHOOL'S FACILITY, INCLUDING ALL OF THE FOLLOWING:

40 (a) ACCESSIBILITY.

41 (b) AVAILABLE CLASSROOM SPACE.

42 (c) CHILD CARE SPACE.

43 (d) HEALTH AND SAFETY REQUIREMENTS.

1 5. A DESCRIPTION OF SPECIFIC ACADEMIC, BEHAVIORAL AND EMOTIONAL
2 SUPPORT SERVICES THE SERVICE PROVIDER WILL OFFER TO ADULT LEARNERS WHO
3 ENROLL IN THE PROGRAM SCHOOL.

4 6. A DESCRIPTION OF THE ADULT LEARNER AND FAMILY SUPPORTS THAT THE
5 PROGRAM SCHOOL WILL PROVIDE AT NO COST TO ADULT LEARNERS, INCLUDING ALL OF
6 THE FOLLOWING:

7 (a) ON-SITE CHILD CARE FOR DEPENDENTS OF ENROLLED ADULT LEARNERS
8 WHILE THE ADULT LEARNER IS ON SITE.

9 (b) LOCAL TRANSPORTATION ASSISTANCE FOR ADULT LEARNERS WITH A
10 VERIFIABLE NEED.

11 (c) CAREER AND HIGHER EDUCATION COUNSELING.

12 (d) JOB PLACEMENT ASSISTANCE.

13 7. A DESCRIPTION OF THE AVAILABLE COUNSELING SERVICES THAT ASSIST
14 ADULT LEARNERS IN OVERCOMING BARRIERS TO EDUCATIONAL SUCCESS, INCLUDING
15 ANY OF THE FOLLOWING:

16 (a) EDUCATIONAL DISADVANTAGES.

17 (b) HOMELESSNESS.

18 (c) CRIMINAL HISTORY.

19 (d) DISABLING CONDITIONS.

20 8. A DESCRIPTION OF THE CAREER TECHNICAL EDUCATION INSTRUCTION THE
21 PROGRAM SCHOOL WILL PROVIDE. CAREER TECHNICAL EDUCATION INSTRUCTION AND
22 COURSES MUST LEAD TO INDUSTRY-RECOGNIZED CREDENTIALS OR RESULT IN AN ADULT
23 LEARNER EARNING COURSE CREDITS FROM A UNIVERSITY OR COMMUNITY COLLEGE. A
24 SERVICE PROVIDER MAY PARTNER WITH A COMMUNITY COLLEGE DISTRICT OR CAREER
25 TECHNICAL EDUCATION DISTRICT TO PROVIDE CAREER TECHNICAL EDUCATION
26 INSTRUCTION.

27 9. A DESCRIPTION OF SPECIFIC PROGRAM OUTCOMES, GOALS AND METRICS
28 THE PROGRAM SCHOOL WILL USE TO DETERMINE ADULT LEARNER SUCCESS.

29 10. THE PROJECTED NUMBER OF ADULT LEARNERS THE PROGRAM SCHOOL WILL
30 ENROLL.

31 G. THE STATE BOARD OF EDUCATION, IN CONSULTATION WITH THE
32 DEPARTMENT OF EDUCATION, SHALL EVALUATE APPLICATIONS SUBMITTED FOR THE
33 CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM AND APPROVE PROGRAM
34 SCHOOLS THAT DEMONSTRATE, THROUGH EVIDENCE OR OTHER DOCUMENTATION, THE
35 ABILITY TO PROVIDE ADULT LEARNERS WITH THE INSTRUCTION AND SUPPORT THAT
36 LEAD TO A HIGH SCHOOL DIPLOMA AND ONE OR MORE INDUSTRY-RECOGNIZED
37 CREDENTIALS. THE FOLLOWING APPLY TO APPROVAL OF A PROGRAM SCHOOL'S
38 PARTICIPATION IN THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING
39 PROGRAM:

40 1. INITIAL APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN TWO
41 SCHOOL YEARS.

42 2. RENEWAL OF APPROVAL SHALL BE FOR A PERIOD OF NOT MORE THAN FOUR
43 SCHOOL YEARS AND IS CONTINGENT ON SPECIFIC PERFORMANCE EXPECTATIONS,
44 INCLUDING STUDENT PROGRESSION, GRADUATION RATES AND EARNING OF
45 INDUSTRY-RECOGNIZED CREDENTIALS.

1 3. IF AN APPROVED SERVICE PROVIDER FAILS TO MEET ANY REQUIREMENTS
2 OF THIS SECTION OR ANY RULES ADOPTED BY THE STATE BOARD, THE STATE BOARD
3 SHALL IMMEDIATELY INITIATE A PROCESS TO BRING THE PROGRAM SCHOOL INTO
4 COMPLIANCE OR TO REVOKE THE PROGRAM SCHOOL'S AUTHORIZATION TO PARTICIPATE
5 IN THE CONTINUING HIGH SCHOOL AND WORKFORCE TRAINING PROGRAM.

6 H. AN APPROVED PROGRAM SCHOOL PARTICIPATING IN THE CONTINUING HIGH
7 SCHOOL AND WORKFORCE TRAINING PROGRAM SHALL ANNUALLY REPORT THE FOLLOWING
8 INFORMATION TO THE DEPARTMENT OF EDUCATION:

9 1. THE NUMBER OF ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL.

10 2. THE GRADUATION RATE OF ADULT LEARNERS ENROLLED IN THE PROGRAM
11 SCHOOL.

12 3. THE AVERAGE PROGRESS OF ADULT LEARNERS TOWARD MEETING GRADUATION
13 REQUIREMENTS.

14 4. THE NUMBER AND TYPE OF INDUSTRY-RECOGNIZED CREDENTIALS EARNED BY
15 ADULT LEARNERS ENROLLED IN THE PROGRAM SCHOOL.

16 5. THE NUMBER OF ADULT LEARNERS WHO HAVE NEWLY ACQUIRED PROFICIENCY
17 IN THE ENGLISH LANGUAGE.

18 6. A DESCRIPTIVE SUMMARY OF THE ACADEMIC, BEHAVIORAL AND EMOTIONAL
19 SUPPORT SERVICES THE SERVICE PROVIDER OFFERS TO ADULT LEARNERS IN THE
20 PROGRAM SCHOOL.

21 7. THE INFORMATION REQUIRED BY THE PERFORMANCE MEASURES ADOPTED BY
22 THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 15-217.

23 I. ON OR BEFORE DECEMBER 15, 2025 AND ON OR BEFORE DECEMBER 15 OF
24 EACH YEAR THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL SUBMIT AN ANNUAL
25 REPORT EVALUATING THE EFFECTIVENESS OF THE CONTINUING HIGH SCHOOL AND
26 WORKFORCE TRAINING PROGRAM TO THE GOVERNOR, THE PRESIDENT OF THE SENATE
27 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. THE DEPARTMENT SHALL
28 PROVIDE A COPY OF THE REPORT TO THE SECRETARY OF STATE.

29 J. THE STATE BOARD OF EDUCATION MAY APPROVE PROGRAM SCHOOLS WITH A
30 TOTAL PROJECTED FULL-TIME ENROLLMENT OF:

31 1. IN FISCAL YEAR 2022-2023, NOT MORE THAN SIX HUNDRED.

32 2. IN FISCAL YEAR 2023-2024, NOT MORE THAN ONE THOUSAND.

33 3. IN FISCAL YEAR 2024-2025 AND EACH FISCAL YEAR THEREAFTER, NOT
34 MORE THAN ONE THOUSAND FOUR HUNDRED.

35 K. IF THE TOTAL FULL-TIME ENROLLMENT REQUESTED BY APPROVED PROGRAM
36 SCHOOLS IS GREATER THAN THE AMOUNTS PRESCRIBED IN SUBSECTION J OF THIS
37 SECTION, THE STATE BOARD OF EDUCATION MAY PRIORITIZE FUNDING DISTRIBUTION
38 TO PROGRAM SCHOOLS DEMONSTRATING THE HIGHEST PERFORMANCE. NEW PROGRAM
39 SCHOOLS SHALL BE PRIORITIZED BASED ON THE SERVICES AND SUPPORTS FOR ADULT
40 LEARNERS AS OUTLINED IN THEIR APPLICATIONS.

41 L. A PROGRAM SCHOOL MAY NOT EITHER:

42 1. CONDUCT ADVERTISING OR MARKETING CAMPAIGNS DIRECTED AT STUDENTS
43 WHO ARE CURRENTLY ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL, OR
44 UNDERTAKE ANY OTHER ACTIVITY THAT ENCOURAGES STUDENTS WHO ARE CURRENTLY

1 ENROLLED IN A SCHOOL DISTRICT OR CHARTER SCHOOL TO STOP ATTENDING SCHOOL
2 IN ORDER TO ENROLL IN A PROGRAM SCHOOL.

3 2. ENROLL A STUDENT WHO WAS ENROLLED IN A SCHOOL DISTRICT OR
4 CHARTER SCHOOL WITHIN THE PRECEDING THIRTY DAYS.

5 M. THE STATE BOARD OF EDUCATION MAY ADOPT RULES TO CARRY OUT THE
6 PURPOSES OF THIS SECTION.

7 15-217.02. Adult workforce diploma program; fund; program
8 providers; requirements; annual report;
9 definitions

10 A. THE ADULT WORKFORCE DIPLOMA PROGRAM IS ESTABLISHED WITHIN THE
11 STATE BOARD OF EDUCATION TO ASSIST A PERSON WHO IS AT LEAST TWENTY-ONE
12 YEARS OF AGE IN EARNING A HIGH SCHOOL DIPLOMA AND DEVELOPING CRITICAL
13 EMPLOYABILITY AND CAREER AND TECHNICAL SKILLS TO PREPARE THE PERSON FOR
14 EMPLOYMENT. THE STATE BOARD OF EDUCATION SHALL OPERATE THE PROGRAM IN
15 COOPERATION WITH THE DEPARTMENT OF EDUCATION. THE PROGRAM MAY BE
16 DELIVERED IN A CAMPUS-BASED, ONLINE OR BLENDED MODALITY.

17 B. THE ADULT WORKFORCE DIPLOMA PROGRAM FUND IS ESTABLISHED
18 CONSISTING OF LEGISLATIVE APPROPRIATIONS, GIFTS, GRANTS AND OTHER
19 DONATIONS. THE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE FUND. THE
20 DEPARTMENT OF EDUCATION SHALL USE MONIES IN THE FUND TO PAY APPROVED
21 PROGRAM PROVIDERS AS PRESCRIBED IN SUBSECTION E OF THIS SECTION. MONIES
22 IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE
23 PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

24 C. ON OR BEFORE AUGUST 15 OF EACH YEAR, THE STATE BOARD OF
25 EDUCATION SHALL ISSUE A REQUEST FOR QUALIFICATIONS FOR ELIGIBLE PROGRAM
26 PROVIDERS TO PARTICIPATE IN THE PROGRAM. TO BE APPROVED, A PROGRAM
27 PROVIDER MUST MEET ALL OF THE FOLLOWING:

28 1. BE OPERATING A REGIONALLY ACCREDITED HIGH SCHOOL
29 DIPLOMA-GRANTING ENTITY.

30 2. HAVE THE ABILITY TO DEVELOP A LEARNING PLAN FOR EACH STUDENT
31 THAT INTEGRATES GRADUATION REQUIREMENTS AND CAREER GOALS.

32 3. PROVIDE A COURSE CATALOG THAT INCLUDES ALL COURSES THAT ARE
33 NECESSARY TO MEET GRADUATION REQUIREMENTS.

34 4. HAVE THE ABILITY TO PROVIDE ALL OF THE FOLLOWING:

35 (a) REMEDIATION OPPORTUNITIES IN LITERACY AND NUMERACY.

36 (b) CAREER PATHWAYS COURSEWORK.

37 (c) PREPARATION FOR INDUSTRY-RECOGNIZED CREDENTIALS AND STACKABLE
38 CREDENTIALS.

39 (d) CAREER PLACEMENT SERVICES.

40 (e) ACADEMIC SKILLS INTAKE ASSESSMENTS AND TRANSCRIPT EVALUATIONS.

41 D. ON OR BEFORE OCTOBER 15 OF EACH YEAR, THE STATE BOARD OF
42 EDUCATION, IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION, SHALL APPROVE
43 ALL QUALIFIED PROGRAM PROVIDERS AND PLACE THOSE PROVIDERS ON AN APPROVED
44 PROGRAM PROVIDERS LIST. APPROVED PROGRAM PROVIDERS SHALL BEGIN ENROLLING
45 STUDENTS ON OR BEFORE NOVEMBER 15 OF EACH YEAR. APPROVED PROGRAM

1 PROVIDERS MAINTAIN APPROVAL STATUS UNLESS THE APPROVED PROGRAM PROVIDER IS
2 REMOVED FROM THE APPROVED PROGRAM PROVIDERS LIST PURSUANT TO SUBSECTION I
3 OF THIS SECTION.

4 E. THE DEPARTMENT OF EDUCATION SHALL PAY APPROVED PROGRAM PROVIDERS
5 THE FOLLOWING AMOUNTS FOR EACH STUDENT WHO COMPLETES THE FOLLOWING
6 MILESTONES:

- 7 1. \$250 FOR EACH COMPLETED HALF UNIT OF HIGH SCHOOL CREDIT.
- 8 2. \$250 FOR EACH COMPLETED EMPLOYABILITY SKILLS CERTIFICATION.
- 9 3. \$250 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL OR STACKABLE
10 CREDENTIAL THAT REQUIRES NOT MORE THAN FIFTY HOURS OF TRAINING.
- 11 4. \$500 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL OR STACKABLE
12 CREDENTIAL THAT REQUIRES AT LEAST FIFTY HOURS BUT NOT MORE THAN ONE
13 HUNDRED HOURS OF TRAINING.
- 14 5. \$750 FOR EACH EARNED INDUSTRY-RECOGNIZED CREDENTIAL OR STACKABLE
15 CREDENTIAL THAT REQUIRES MORE THAN ONE HUNDRED HOURS OF TRAINING.
- 16 6. \$1,000 FOR EACH EARNED HIGH SCHOOL DIPLOMA.

17 F. APPROVED PROGRAM PROVIDERS SHALL SUBMIT MONTHLY INVOICES TO THE
18 DEPARTMENT OF EDUCATION NOT LATER THAN THE TENTH CALENDAR DAY OF EACH
19 MONTH FOR MILESTONES MET IN THE PREVIOUS CALENDAR MONTH. THE DEPARTMENT
20 OF EDUCATION SHALL PAY APPROVED PROGRAM PROVIDERS IN THE ORDER IN WHICH
21 INVOICES ARE SUBMITTED UNTIL ALL AVAILABLE MONIES ARE EXHAUSTED. THE
22 DEPARTMENT OF EDUCATION SHALL PROVIDE A WRITTEN UPDATE TO THE APPROVED
23 PROGRAM PROVIDERS ON OR BEFORE THE LAST CALENDAR DAY OF EACH MONTH,
24 INCLUDING THE AGGREGATE TOTAL DOLLARS THAT HAVE BEEN PAID TO APPROVED
25 PROGRAM PROVIDERS TO DATE AND THE ESTIMATED NUMBER OF ENROLLMENTS STILL
26 AVAILABLE FOR THE PROGRAM YEAR.

27 G. ON OR BEFORE JULY 15 OF EACH YEAR, EACH APPROVED PROGRAM
28 PROVIDER SHALL REPORT THE FOLLOWING TO THE STATE BOARD OF EDUCATION:

- 29 1. THE TOTAL NUMBER OF STUDENTS WHO WERE FUNDED THROUGH THE
30 PROGRAM.
- 31 2. THE TOTAL NUMBER OF EARNED CREDITS.
- 32 3. THE TOTAL NUMBER OF EARNED INDUSTRY-RECOGNIZED CREDENTIALS OR
33 STACKABLE CREDENTIALS EARNED FOR EACH TIER OF FUNDING.
- 34 4. THE TOTAL NUMBER OF STUDENTS WHO GRADUATED THROUGH THE PROGRAM.
- 35 5. THE INFORMATION REQUIRED BY THE PERFORMANCE MEASURES ADOPTED BY
36 THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 15-217.

37 H. BEGINNING WITH THE END OF THE SECOND FISCAL YEAR OF THE PROGRAM,
38 THE STATE BOARD OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT OF
39 EDUCATION, SHALL REVIEW DATA FROM EACH APPROVED PROGRAM PROVIDER TO ENSURE
40 THAT EACH APPROVED PROGRAM PROVIDER IS ACHIEVING MINIMUM PROGRAM
41 PERFORMANCE STANDARDS, INCLUDING:

- 42 1. A GRADUATION RATE OF AT LEAST FIFTY PERCENT.
- 43 2. AN AVERAGE COST PER GRADUATE OF \$7,000 OR LESS.

1 I. THE STATE BOARD OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT
2 OF EDUCATION, SHALL PLACE AN APPROVED PROGRAM PROVIDER THAT DOES NOT MEET
3 THE MINIMUM PROGRAM PERFORMANCE STANDARDS PRESCRIBED IN SUBSECTION H OF
4 THIS SECTION ON PROBATIONARY STATUS FOR THE REMAINDER OF THE FISCAL YEAR.
5 AN APPROVED PROGRAM PROVIDER THAT DOES NOT MEET THE MINIMUM PERFORMANCE
6 STANDARDS FOR TWO CONSECUTIVE YEARS SHALL BE REMOVED FROM THE APPROVED
7 PROGRAM PROVIDERS LIST.

8 J. FOR THE PURPOSES OF THIS SECTION:

9 1. "ACADEMIC SKILLS INTAKE ASSESSMENT" MEANS A CRITERION-REFERENCED
10 ASSESSMENT OF NUMERACY AND LITERACY SKILLS WITH HIGH RELIABILITY AND
11 VALIDITY THAT IS DETERMINED BY THIRD-PARTY RESEARCH AND THAT MAY BE
12 ADMINISTERED IN PERSON OR ONLINE.

13 2. "ACCREDITED PROVIDER" MEANS AN ENTITY THAT IS CURRENTLY
14 ACCREDITED BY ONE OF THE SEVEN REGIONAL ACCREDITATION ORGANIZATIONS OR ANY
15 SUCCESSOR ENTITY.

16 3. "APPROVED PROGRAM PROVIDER" MEANS A PUBLIC, NONPROFIT OR OTHER
17 ENTITY THAT MEETS THE REQUIREMENTS OF THIS SECTION AND THAT DOES NOT
18 RECEIVE FEDERAL OR STATE FUNDING OR PRIVATE TUITION FOR A STUDENT WHO IS
19 FUNDED THROUGH THE PROGRAM.

20 4. "AVERAGE COST PER GRADUATE" MEANS THE TOTAL PROGRAM FUNDING
21 DISPERSED TO AN APPROVED PROGRAM PROVIDER DIVIDED BY THE TOTAL NUMBER OF
22 GRADUATES FOR A COHORT CALCULATED TWELVE MONTHS AFTER THE CLOSE OF THE
23 COHORT.

24 5. "CAREER PATHWAYS COURSEWORK" MEANS ONE OR MORE COURSES THAT
25 ALIGN WITH THE SKILL NEEDS OF INDUSTRIES IN THE ECONOMY OF THIS STATE OR
26 REGION AND THAT ASSIST STUDENTS TO ENTER OR ADVANCE WITHIN A SPECIFIC
27 OCCUPATION OR OCCUPATIONAL CLUSTER.

28 6. "CAREER PLACEMENT SERVICES" MEANS SERVICES THAT ARE DESIGNED TO
29 ASSIST STUDENTS IN OBTAINING EMPLOYMENT, INCLUDING CAREER INTEREST
30 SELF-ASSESSMENTS, JOB SEARCH SKILLS, RÉSUMÉ DEVELOPMENT AND MOCK
31 INTERVIEWS.

32 7. "COHORT" MEANS THE STUDENTS WHO ENTER THE PROGRAM BETWEEN JULY 1
33 AND JUNE 30 OF EACH PROGRAM YEAR.

34 8. "EMPLOYABILITY SKILLS CERTIFICATION" MEANS A CERTIFICATE EARNED
35 BY DEMONSTRATING PROFESSIONAL NONTECHNICAL SKILLS THROUGH ASSESSMENT,
36 PORTFOLIO OR OBSERVATION.

37 9. "GRADUATE" MEANS A STUDENT WHO HAS SUCCESSFULLY COMPLETED ALL
38 STATE AND APPROVED PROGRAM PROVIDER REQUIREMENTS TO EARN A HIGH SCHOOL
39 DIPLOMA.

40 10. "GRADUATION RATE" MEANS THE TOTAL NUMBER OF GRADUATES FROM A
41 COHORT DIVIDED BY THE TOTAL NUMBER OF STUDENTS FROM THE SAME COHORT
42 CALCULATED TWELVE MONTHS AFTER THE CLOSE OF THE COHORT.

43 11. "GRADUATION REQUIREMENTS" MEANS COURSE AND CREDIT REQUIREMENTS
44 NEEDED TO EARN A HIGH SCHOOL DIPLOMA FROM AN APPROVED PROGRAM PROVIDER.

1 12. "HIGH SCHOOL DIPLOMA" MEANS A DIPLOMA THAT IS ISSUED BY AN
2 ACCREDITED PROVIDER AND THAT IS RECOGNIZED AS A SECONDARY SCHOOL DIPLOMA
3 BY THIS STATE.

4 13. "INDUSTRY-RECOGNIZED CREDENTIAL" MEANS AN EDUCATION-RELATED OR
5 WORK-RELATED CREDENTIAL THAT VERIFIES AN INDIVIDUAL'S QUALIFICATION OR
6 COMPETENCE AND THAT IS ISSUED BY A THIRD PARTY WITH THE RELEVANT AUTHORITY
7 TO ISSUE THE CREDENTIAL.

8 14. "LEARNING PLAN" MEANS A DOCUMENTED PLAN THAT BOTH:

9 (a) IS DESIGNED TO PREPARE A STUDENT TO SUCCEED IN THE PROGRAM AND
10 THE STUDENT'S FUTURE ENDEAVORS.

11 (b) IDENTIFIES THE COURSES AND CREDITS THAT ARE NEEDED FOR A
12 STUDENT TO COMPLETE THE PROGRAM AND THAT ARE APPROVED PROGRAM PROVIDER
13 GRADUATION REQUIREMENTS.

14 15. "MILESTONES" MEANS OBJECTIVE MEASURES OF PROGRESS FOR WHICH
15 PAYMENT IS MADE TO AN APPROVED PROGRAM PROVIDER UNDER THIS SECTION,
16 INCLUDING EARNED UNITS OF HIGH SCHOOL CREDIT, EARNED INDUSTRY-RECOGNIZED
17 CREDENTIALS AND EARNED HIGH SCHOOL DIPLOMAS.

18 16. "PROGRAM" MEANS THE ADULT WORKFORCE DIPLOMA PROGRAM.

19 17. "REQUEST FOR QUALIFICATIONS" MEANS A REQUEST FOR INTERESTED
20 POTENTIAL PROGRAM PROVIDERS TO SUBMIT EVIDENCE THAT THEY MEET THE
21 QUALIFICATIONS PRESCRIBED BY THIS SECTION.

22 18. "STACKABLE CREDENTIAL" MEANS A THIRD-PARTY CREDENTIAL THAT IS
23 PART OF A SEQUENCE OF CREDENTIALS THAT CAN BE ACCUMULATED OVER TIME TO
24 BUILD UP AN INDIVIDUAL'S QUALIFICATIONS TO ADVANCE ALONG A CAREER PATHWAY.

25 19. "STUDENT" MEANS A PARTICIPANT IN THE PROGRAM WHO IS AT LEAST
26 TWENTY-ONE YEARS OF AGE, WHO IS A RESIDENT OF THIS STATE AND WHO HAS NOT
27 EARNED A HIGH SCHOOL DIPLOMA.

28 20. "TRANSCRIPT EVALUATION" MEANS A DOCUMENTED SUMMARY OF CREDITS
29 THAT WERE EARNED IN PREVIOUS PUBLIC OR PRIVATE ACCREDITED HIGH SCHOOLS
30 COMPARED WITH PROGRAM AND APPROVED PROGRAM PROVIDER GRADUATION
31 REQUIREMENTS.

32 21. "UNIT OF HIGH SCHOOL CREDIT" MEANS A CREDIT THAT IS AWARDED
33 BASED ON A STUDENT'S DEMONSTRATION THAT THE STUDENT HAS SUCCESSFULLY MET
34 THE CONTENT EXPECTATIONS FOR THE CREDIT AREA AS DEFINED BY SUBJECT AREA
35 STANDARDS, EXPECTATIONS OR GUIDELINES.

36 15-217.03. Community college adult education workforce
37 development program; fund; program schools;
38 annual report

39 A. THE COMMUNITY COLLEGE ADULT EDUCATION WORKFORCE DEVELOPMENT
40 PROGRAM IS ESTABLISHED WITHIN THE STATE BOARD OF EDUCATION, TO BE OPERATED
41 IN COOPERATION WITH THE DEPARTMENT OF EDUCATION, TO PROVIDE ADULT LEARNERS
42 WITH INTEGRATED EDUCATION AND TRAINING PROGRAMS AND ADDITIONAL STUDY AND
43 SUPPORT SERVICES THAT LEAD TO THE ISSUANCE OF BOTH OF THE FOLLOWING:

- 44 1. A HIGH SCHOOL DIPLOMA OR HIGH SCHOOL EQUIVALENCY DIPLOMA.
45 2. AN INDUSTRY-RECOGNIZED CREDENTIAL OR COMMUNITY COLLEGE DEGREE.

1 B. TO BE ELIGIBLE TO PARTICIPATE IN THE PROGRAM, THE PROGRAM
2 APPLICANT MUST BE A COMMUNITY COLLEGE THAT IS A RECOGNIZED HIGH SCHOOL
3 DIPLOMA OR HIGH SCHOOL EQUIVALENCY DIPLOMA PROVIDER AND PROVIDES EDUCATION
4 AND WORKFORCE TRAINING THAT LEADS TO INDUSTRY-RECOGNIZED CREDENTIALS OR
5 COMMUNITY COLLEGE DEGREES. IF A PROGRAM APPLICANT MEETS THE REQUIREMENTS
6 OF THIS SUBSECTION, THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE MONIES TO
7 THE PROGRAM APPLICANT AS PRESCRIBED IN SUBSECTION C OF THIS SECTION.

8 C. THE COMMUNITY COLLEGE ADULT EDUCATION WORKFORCE DEVELOPMENT
9 PROGRAM FUND IS ESTABLISHED CONSISTING OF LEGISLATIVE APPROPRIATIONS AND
10 ANY OTHER MONIES. THE DEPARTMENT OF EDUCATION SHALL ADMINISTER THE FUND.
11 MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE
12 PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.
13 NOTWITHSTANDING ANY OTHER LAW, A PROGRAM SCHOOL SHALL BE FUNDED AS
14 FOLLOWS:

15 1. THE PROGRAM SCHOOL MAY RECEIVE UP TO \$3,000 PER FULL-TIME
16 STUDENT ENROLLED IN THE PROGRAM EACH FISCAL YEAR. PART-TIME STUDENTS
17 SHALL BE FUNDED IN PROPORTION TO THE NUMBER OF ENROLLED COURSES OR HOURS
18 OF INSTRUCTION.

19 2. THE DEPARTMENT OF EDUCATION SHALL DISTRIBUTE FUND MONIES TO ALL
20 PROGRAM SCHOOLS THAT MEET THE CRITERIA PRESCRIBED IN SUBSECTION B OF THIS
21 SECTION IN A PROPORTIONAL MANNER BASED ON THE NUMBER OF ADULT LEARNERS
22 EACH PROGRAM SCHOOL SERVES.

23 D. A PROGRAM SCHOOL SHALL USE MONIES RECEIVED UNDER THIS SECTION TO
24 SUPPLEMENT AND NOT SUPPLANT CURRENT PROGRAM OFFERINGS. IN ADDITION TO ANY
25 MONIES RECEIVED FROM THE FUND, A PROGRAM SCHOOL MAY ACCEPT AND SPEND
26 FEDERAL MONIES AND PRIVATE GRANTS, GIFTS, CONTRIBUTIONS AND DEVISES TO
27 ASSIST THE PROGRAM SCHOOL IN CARRYING OUT THE PURPOSES OF THIS SECTION. A
28 PROGRAM SCHOOL SHALL USE MONIES RECEIVED UNDER SUBSECTION C OF THIS
29 SECTION FOR ADULT LEARNERS TO PARTICIPATE IN A HIGH SCHOOL DIPLOMA OR HIGH
30 SCHOOL EQUIVALENCY DIPLOMA PROGRAM THAT ALSO OFFERS AN INDUSTRY-RECOGNIZED
31 CREDENTIAL OR COMMUNITY COLLEGE DEGREE. A PORTION OF MONIES MAY BE USED
32 FOR ADDITIONAL SUPPORT SERVICES TO ENSURE THE SUCCESS OF ADULT LEARNERS IN
33 THE PROGRAM, INCLUDING THE FOLLOWING:

34 1. TRANSPORTATION ASSISTANCE FOR ADULT LEARNERS WITH A DEMONSTRATED
35 NEED.

36 2. CHILD CARE SERVICES FOR DEPENDENTS OF ADULT LEARNERS WHILE THE
37 ADULT LEARNER IS ON-SITE.

38 3. COLLEGE AND CAREER COUNSELING.

39 4. JOB PLACEMENT ASSISTANCE.

40 E. FOR EACH YEAR THAT MONIES ARE APPROPRIATED BY THE LEGISLATURE TO
41 THE FUND ESTABLISHED BY SUBSECTION C OF THIS SECTION, ON OR BEFORE
42 SEPTEMBER 30, EACH PROGRAM SCHOOL SHALL SUBMIT A REPORT REGARDING THE
43 COMMUNITY COLLEGE ADULT EDUCATION WORKFORCE DEVELOPMENT PROGRAM TO THE
44 GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
45 REPRESENTATIVES AND SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY

1 OF STATE. EACH REPORT SHALL INCLUDE, AT A MINIMUM, ALL OF THE FOLLOWING
2 INFORMATION FOR EACH PROGRAM SCHOOL FOR THE PRECEDING SCHOOL YEAR:

3 1. THE NUMBER OF ADULT LEARNERS ENROLLED IN THE PROGRAM.

4 2. THE COMPLETION RATE OF HIGH SCHOOL DIPLOMAS AND HIGH SCHOOL
5 EQUIVALENCY DIPLOMAS EARNED BY ADULT LEARNERS ENROLLED IN THE PROGRAM.

6 3. THE AVERAGE PROGRESS OF ADULT LEARNERS TOWARD MEETING COMPLETION
7 CRITERIA.

8 4. THE NUMBER AND TYPE OF INDUSTRY-RECOGNIZED CREDENTIALS,
9 COMMUNITY COLLEGE DEGREE CREDITS AND COMMUNITY COLLEGE DEGREES EARNED BY
10 ADULT LEARNERS ENROLLED IN THE PROGRAM.

11 5. A DESCRIPTIVE SUMMARY OF THE COMMUNITY COLLEGE ADULT EDUCATION
12 WORKFORCE DEVELOPMENT PROGRAM OFFERED.

13 6. THE NUMBER OF ADULT LEARNERS WHO HAVE NEWLY ACQUIRED PROFICIENCY
14 IN THE ENGLISH LANGUAGE.

15 7. THE INFORMATION REQUIRED BY THE PERFORMANCE MEASURES ADOPTED BY
16 THE STATE BOARD OF EDUCATION PURSUANT TO SECTION 15-217.

17 F. THE STATE BOARD OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT
18 OF EDUCATION, MAY REQUEST INFORMATION FROM ANY PROGRAM APPLICANT OR
19 PROGRAM SCHOOL FOR THE PURPOSES OF DETERMINING PROGRAM ELIGIBILITY AND
20 FUNDING DISTRIBUTIONS UNDER THIS SECTION.

21 G. THE STATE BOARD OF EDUCATION, IN COOPERATION WITH THE DEPARTMENT
22 OF EDUCATION, MAY DEVELOP A PROCESS TO BRING A PROGRAM SCHOOL INTO
23 COMPLIANCE OR REVOKE THE PROGRAM SCHOOL'S AUTHORIZATION TO PARTICIPATE IN
24 THE PROGRAM, AT THE DISCRETION OF THE STATE BOARD OF EDUCATION, IN
25 COOPERATION WITH THE DEPARTMENT OF EDUCATION.

26 Sec. 3. Title 15, chapter 2, article 2, Arizona Revised Statutes,
27 is amended by adding section 15-249.17, to read:

28 15-249.17. Code writers initiative program; grants; annual
29 report

30 A. THE CODE WRITERS INITIATIVE PROGRAM IS ESTABLISHED WITHIN THE
31 DEPARTMENT OF EDUCATION TO PROVIDE GRANTS ON A COMPETITIVE BASIS PURSUANT
32 TO TITLE 41, CHAPTER 24, ARTICLE 1 FOR THE PURPOSES PRESCRIBED IN THIS
33 SECTION. THE INDIAN EDUCATION ADVISORY COUNCIL IN THE DEPARTMENT OF
34 EDUCATION SHALL EVALUATE GRANT APPLICATIONS AND MAKE AWARD RECOMMENDATIONS
35 TO THE DEPARTMENT. THE DEPARTMENT SHALL MAXIMIZE AVAILABLE FUNDING BY
36 AWARDED GRANTS TO PARTICIPANTS THAT WILL LEVERAGE STATE MONIES BY
37 SECURING GIFTS, GRANTS AND DONATIONS FROM OTHER SOURCES.

38 B. GRANTEEES IN THE CODE WRITERS INITIATIVE PROGRAM SHALL:

39 1. INTRODUCE A COMPUTER CODE WRITING CURRICULUM FOR STUDENTS IN
40 GRADES NINE THROUGH TWELVE.

41 2. DELIVER A TECHNOLOGY-FOCUSED EDUCATION TO NATIVE AMERICAN
42 STUDENTS THAT WILL PREPARE THE STUDENTS FOR THE GLOBAL ECONOMY. THE
43 INSTRUCTION MAY BE OFFERED THROUGH AFTER-SCHOOL PROGRAMMING.

1 3. INSTRUCT NATIVE AMERICAN STUDENTS IN COMPUTER CODE WRITING AND
2 WORK WITH INDUSTRY PARTNERS TO DEVELOP INTERNSHIPS AND PROGRAMS THAT WILL
3 BE MADE AVAILABLE TO STUDENTS WHO COMPLETE THE PROGRAM CURRICULUM.

4 4. INSTRUCT TEACHERS AND ADMINISTRATORS IN A TECHNOLOGY-FOCUSED
5 CURRICULUM.

6 5. DEVELOP ASSESSMENT METRICS TO MEASURE PROGRESS TO BE USED TO
7 DETERMINE THE INITIATIVE'S EFFECTIVENESS.

8 6. INSTALL AUDIOVISUAL DISTANCE LEARNING EQUIPMENT AT KEY DELIVERY
9 POINTS TO MAXIMIZE THE NUMBER OF PROGRAM PARTICIPANTS.

10 7. DETERMINE THE IMPACTS FROM THE INITIATIVE'S CURRICULUM AND
11 TEACHER INSTRUCTION ON STUDENTS' STANDARDIZED TEST SCORES AND GRADUATION
12 RATES.

13 8. ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, SUBMIT AN ANNUAL REPORT
14 TO THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF
15 REPRESENTATIVES, THE INDIAN EDUCATION ADVISORY COUNCIL AND THE DEPARTMENT
16 OF EDUCATION CONTAINING DETAILED INFORMATION RELATING TO THE REQUIREMENTS
17 OF THIS SUBSECTION FOR THE MOST RECENT SCHOOL YEAR.

18 Sec. 4. Section 15-393, Arizona Revised Statutes, as amended by
19 Laws 2022, chapter 136, section 1, is amended to read:

20 15-393. Career technical education district governing board;
21 report; definitions

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

40 1. The governing boards of the school districts participating in
41 the formation of the career technical education district shall define the
42 boundaries of the single member districts so that the single member
43 districts are as nearly equal in population as is practicable, except that
44 if the career technical education district lies in part in each of two or
45 more counties, at least one single member district may be entirely within

1 each of the counties comprising the career technical education district if
2 this district design is consistent with the obligation to equalize the
3 population among single member districts.

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

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

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

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

39 C. Career technical education districts are subject to the
40 following provisions of this title:

- 41 1. Chapter 1, articles 1 through 6.
- 42 2. Sections 15-208, 15-210, 15-213 and 15-234.
- 43 3. Articles 2, 3 and 5 of this chapter.
- 44 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 For the purposes of this paragraph, "school district of residence" means
23 the school district that included the pupil in its average daily
24 membership for the year before the first year of operation of the career
25 technical education district and that would have included the pupil in its
26 student count for the purposes of computing its base support level for the
27 fiscal year of the first year of operation of the career technical
28 education district if the pupil had not enrolled in the career technical
29 education district.

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

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

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

43 (c) A student who has graduated from high school or received a
44 general equivalency diploma or who is over twenty-one years of age shall

1 not be included in the student count of the career technical education
2 district for the purposes of chapter 9, articles 3, 4 and 5 of this title.

3 5. A career technical education district may operate for more than
4 one hundred eighty days per year, or less, with the equivalent number of
5 hours of instruction.

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

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

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

29 9. A career technical education district or a school district that
30 is part of a career technical education district or a charter school shall
31 only include pupils in grades nine through twelve and pupils in the school
32 year immediately following graduation in the calculation of student count
33 or average daily membership if the pupils are enrolled in courses that are
34 approved jointly by the governing board of the career technical education
35 district and each participating school district or charter school for
36 satellite courses taught within the participating school district or
37 charter school, or approved solely by the career technical education
38 district for centrally located courses. Funding may be provided for not
39 more than four years for the same student. Student count and average
40 daily membership from courses that are not part of an approved program for
41 career and technical education shall not be included in student count and
42 average daily membership of a career technical education district.

43 E. The career technical education board shall appoint a
44 superintendent as the executive officer of the career technical education
45 district.

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

9 G. The schools in the career technical education district are
10 available to all persons who reside in the career technical education
11 district and to pupils whose school district of residence within this
12 state is paying tuition on behalf of the pupils to a district of
13 attendance that is a member of the career technical education district,
14 subject to the rules for admission prescribed by the career technical
15 education board.

16 H. The career technical education board may collect tuition for
17 adult students and the attendance of pupils who are residents of school
18 districts that are not participating in the career technical education
19 district pursuant to arrangements made between the governing board of the
20 school district and the career technical education board.

21 I. The career technical education board may accept gifts, grants,
22 federal monies, tuition and other allocations of monies to erect, repair
23 and equip buildings and for the cost of operating the schools of the
24 career technical education district.

25 J. One member of the career technical education board shall be
26 selected chairman. The chairman shall be selected annually on a rotation
27 basis from among the participating school districts. The chairman of the
28 career technical education board shall be a voting member.

29 K. A career technical education board and a community college
30 district may enter into agreements to provide for administrative,
31 operational and educational services and facilities.

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

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

42 2. The accountability provisions of the intergovernmental agreement
43 or other written contract.

1 3. The responsibilities of each career technical education
2 district, each school district, each charter school and each community
3 college district that is a party to the intergovernmental agreement or
4 other written contract.

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

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

10 6. The transportation services that will be provided under the
11 intergovernmental agreement or other written contract and the manner in
12 which transportation costs will be paid.

13 7. The amount that the career technical education district will
14 contribute to a course and the amount of support required by the school
15 district, the charter school or the community college.

16 8. That the services provided by the career technical education
17 district, the school district, the charter school or the community college
18 district be proportionally calculated in the cost of delivering the
19 service.

20 9. That the payment for services shall not exceed the cost of the
21 services provided.

22 10. That the career technical education district will provide the
23 following minimum services for all member districts:

24 (a) Professional development of career and technical teachers in
25 the career technical education district who are teaching programs or
26 courses at a satellite campus.

27 (b) Ongoing evaluation and support of satellite campus programs and
28 courses to ensure quality and compliance.

29 11. An itemized listing of other goods and services that are
30 provided to the member district and that are paid for by the retention of
31 satellite campus student funding.

32 M. A member school district or charter school may not submit
33 requests to approve or add satellite campus career technical education
34 district programs or courses directly to the career and technical
35 education division of the department of education, but shall submit all
36 appropriate application documentation and materials for programs or
37 courses to the career technical education district. On approval from the
38 career technical education board, a career technical education district
39 shall only submit requests to approve or add satellite campus career
40 technical education district programs or courses directly to the career
41 and technical education division of the department of education, which
42 shall determine whether the criteria prescribed in section 15-391,
43 paragraphs 2 and 4 have been met. If the career and technical education
44 division of the department of education determines that a course does not
45 meet the criteria for approval as a career technical education course, the

1 governing board of the career technical education district may appeal this
2 decision to the state board of education acting as the state board of
3 vocational education.

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

10 O. If a career and technical education course or program is
11 provided on a satellite campus, the sum of the average daily membership,
12 as provided in section 15-901, subsection A, paragraph 1, for that pupil
13 in the school district or charter school and career technical education
14 district shall not exceed 1.25. The school district or charter school and
15 the career technical education district shall determine the apportionment
16 of the average daily membership for that pupil between the school district
17 or charter school and the career technical education district. A pupil
18 who attends a course or program at a satellite campus and who is not
19 enrolled in the school district or charter school where the satellite
20 campus is located may generate the average daily membership of up to 0.25
21 for one hundred fifty instructional hours of enrollment for instruction
22 received during any hour of the day, during any day of the week and at any
23 time between July 1 and June 30 of each fiscal year pursuant to this
24 subsection if the pupil is enrolled in a school district that is a member
25 district in the same career technical education district.

26 P. The sum of the average daily membership of a pupil who is
27 enrolled in both the school district and career technical education course
28 or career technical education program provided by a community college
29 pursuant to subsection K of this section or at a centralized campus shall
30 not exceed 1.75. The average daily membership for a pupil who is enrolled
31 in a career technical education course or career technical education
32 program provided by a community college shall be 0.25 for the accumulation
33 of every three community college credits for which a student is enrolled
34 in career technical education courses. The member school district and the
35 career technical education district shall determine the apportionment of
36 the average daily membership and student enrollment for that pupil between
37 the member school district and the career technical education district,
38 except that the amount apportioned shall not exceed 1.0 for either entity.
39 Notwithstanding any other law, the average daily membership for a pupil
40 who is in grade nine, ten, eleven or twelve or in the school year
41 immediately following graduation and who is enrolled in a course that
42 meets for at least one hundred fifty minutes per class period at a
43 centralized campus shall be 0.75. To qualify for funding pursuant to this
44 subsection, a centralized campus shall offer programs and courses to all
45 eligible students in each member district of the career technical

1 education district. Students in an approved career technical education
2 program may generate an average daily membership of up to 1.75 for
3 instruction received during any hour of the day, during any day of the
4 week and at any time between July 1 and June 30 of each fiscal
5 year. Average daily membership shall not be calculated on the one
6 hundredth day of instruction for the purposes of this section. Average
7 daily membership shall be calculated by dividing the instructional hours
8 of enrollment by six hundred hours, except that:

9 1. At least one hundred fifty hours and less than three hundred
10 hours equals 0.25 average daily membership.

11 2. At least three hundred hours and less than four hundred fifty
12 hours equals 0.5 average daily membership.

13 3. At least four hundred fifty hours and less than six hundred
14 hours equals 0.75 average daily membership.

15 4. At least six hundred hours equals 1.0 average daily membership.

16 Q. The average daily membership for a pupil who is in grade nine,
17 ten, eleven or twelve or in the school year immediately following
18 graduation and who is enrolled in a course that meets for at least one
19 hundred fifty minutes per class period at a leased centralized campus
20 shall not exceed 0.75. Students in an approved career technical education
21 program provided by a leased centralized campus may generate an average
22 daily membership for instruction received during any hour of the day,
23 during any day of the week and at any time between July 1 and June 30 of
24 each fiscal year. Average daily membership shall be calculated by
25 dividing the instructional hours of enrollment by six hundred hours,
26 except that:

27 1. At least one hundred fifty hours and less than three hundred
28 hours equals 0.25 average daily membership.

29 2. At least three hundred hours and less than four hundred fifty
30 hours equals 0.5 average daily membership.

31 3. At least four hundred fifty hours and less than six hundred
32 hours equals 0.75 average daily membership.

33 4. At least six hundred hours equals 1.0 average daily membership.

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

39 1. The course qualifies as a career technical education course.

40 2. The course is offered to all eligible students in each member
41 district of the career technical education district and enrolls students
42 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 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 T. Notwithstanding any other law, the student count for a career
17 technical education district shall be equivalent to the career technical
18 education district's average daily membership. Students in an approved
19 career technical education program provided by a satellite campus,
20 centralized campus or leased centralized campus may generate an average
21 daily membership subject to the limits prescribed by subsections D, N, O,
22 P, Q and R of this section, as applicable, for instruction received during
23 any hour of the day, during any day of the week and at any time between
24 July 1 and June 30 of each fiscal year. Average daily membership shall
25 not be calculated on the one hundredth day of instruction for the purposes
26 of this section. The department may not restrict the instructional time
27 by limiting the particular days of the week or time of the fiscal year for
28 instruction to occur.

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

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

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

1 shall not be funded for the current school year and shall be removed from
2 the approved program and course list for the purposes of funding. The
3 career and technical education division may establish a staggered schedule
4 for reviewing each career technical education district.

5 X. Notwithstanding subsection D, paragraphs 4 and 9 and subsections
6 P, Q and R of this section, for a student in grade nine, funding shall be
7 provided pursuant to this section only if the student reaches the fortieth
8 day of grade eleven enrolled in an approved career technical education
9 program and meets the requirements prescribed in subsection Z of this
10 section. At that time funding shall be provided for that student for
11 grade nine and for any subsequent year in which the student is eligible
12 for funding pursuant to this section.

13 Y. On or before September 1 of each year, the office of economic
14 opportunity in collaboration with the department of education shall
15 compile an in-demand regional education list of the approved career
16 technical education programs that lead to a career path in high demand
17 with median-to-high-wage jobs in that region. The office of economic
18 opportunity shall incorporate industry feedback as part of developing the
19 in-demand regional educational list. The office of economic opportunity
20 shall submit the in-demand regional education list to the Arizona career
21 and technical education quality commission for review and approval.

22 Z. Notwithstanding subsection D, paragraphs 4 and 9 and subsections
23 P, Q and R of this section, for a student in grade nine or in the school
24 year immediately following graduation, funding shall be provided pursuant
25 to this section only if the student is enrolled in a program that was
26 included on the in-demand regional education list compiled pursuant to
27 subsection Y of this section for that student's region for the year in
28 which the student began the program.

29 AA. For the purposes of this section:

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

32 2. "Centralized campus" means a facility that is owned and operated
33 by a career technical education district to offer career technical
34 education district programs or career technical education courses.

35 3. "Lease" means a written agreement in which the right to occupy
36 or use real property is conveyed from one person or entity to another
37 person or entity for a specified period of time.

38 4. "Leased centralized campus" means a facility that is leased and
39 operated by a career technical education district to offer career
40 technical education district programs or career technical education
41 courses.

42 5. "Satellite campus" means a facility that is owned or operated by
43 a school district or charter school to offer career technical education
44 district programs or career technical education courses.

1 Sec. 5. Section 15-901, Arizona Revised Statutes, is amended to
2 read:

3 15-901. Definitions

4 A. In this title, unless the context otherwise requires:

5 1. "Average daily membership" means the total enrollment of
6 fractional students and full-time students, minus withdrawals, of each
7 school day through the first one hundred days or two hundred days in
8 session, as applicable, for the current year. Withdrawals include
9 students who are formally withdrawn from schools and students who are
10 absent for ten consecutive school days, except for excused absences
11 identified by the department of education. For the purposes of this
12 section, school districts and charter schools shall report student absence
13 data to the department of education at least once every sixty days in
14 session. For computation purposes, the effective date of withdrawal shall
15 be retroactive to the last day of actual attendance of the student or
16 excused absence. A school district or charter school may satisfy any of
17 the time and hours requirements prescribed in this subsection in any
18 manner prescribed in the school district's or charter school's
19 instructional time model adopted under section 15-901.08.

20 (a) "Fractional student" means:

21 (i) For common schools, a preschool child who is enrolled in a
22 program for preschool children with disabilities of at least three hundred
23 sixty minutes each week that meets at least two hundred sixteen hours over
24 the minimum number of days or a kindergarten student who is at least five
25 years of age before January 1 of the school year and enrolled in a school
26 kindergarten program that meets at least three hundred fifty-six hours for
27 a one hundred eighty-day school year, or the instructional hours
28 prescribed in this section. In computing the average daily membership,
29 preschool children with disabilities and kindergarten students shall be
30 counted as one-half of a full-time student. For common schools, a
31 part-time student is a student enrolled for less than the total time for a
32 full-time student as defined in this section. A part-time common school
33 student shall be counted as one-fourth, one-half or three-fourths of a
34 full-time student if the student is enrolled in an instructional program
35 that is at least one-fourth, one-half or three-fourths of the time a
36 full-time student is enrolled as defined in subdivision (b) of this
37 paragraph. The hours in which a student is scheduled to attend a common
38 school during the regular school day shall be included in the calculation
39 of the average daily membership for that student.

40 (ii) For high schools, a part-time student who is enrolled in less
41 than four subjects that count toward graduation as defined by the state
42 board of education, each of which, if taught each school day for the
43 minimum number of days required in a school year, would meet a minimum of
44 one hundred twenty-three hours a year, or the equivalent, in a recognized
45 high school. The average daily membership of a part-time high school

1 student shall be 0.75 if the student is enrolled in an instructional
2 program of three subjects that meet at least five hundred forty hours for
3 a one hundred eighty-day school year, or the instructional hours
4 prescribed in this section. The average daily membership of a part-time
5 high school student shall be 0.5 if the student is enrolled in an
6 instructional program of two subjects that meet at least three hundred
7 sixty hours for a one hundred eighty-day school year, or the instructional
8 hours prescribed in this section. The average daily membership of a
9 part-time high school student shall be 0.25 if the student is enrolled in
10 an instructional program of one subject that meets at least one hundred
11 eighty hours for a one hundred eighty-day school year, or the
12 instructional hours prescribed in this section. The hours in which a
13 student is scheduled to attend a high school during the regular school day
14 shall be included in the calculation of the average daily membership for
15 that student.

16 (b) "Full-time student" means:

17 (i) For common schools, a student who is at least six years of age
18 before January 1 of a school year, who has not graduated from the highest
19 grade taught in the school district and who is regularly enrolled in a
20 course of study required by the state board of education. First, second
21 and third grade students or ungraded group B children with disabilities
22 who are at least five, but under six, years of age by September 1 must be
23 enrolled in an instructional program that meets for a total of at least
24 seven hundred twelve hours for a one hundred eighty-day school year, or
25 the instructional hours prescribed in this section. Fourth, fifth, sixth,
26 seventh and eighth grade students must be enrolled in an instructional
27 program that meets for a total of at least eight hundred ninety hours for
28 a one hundred eighty-day school year, or the instructional hours
29 prescribed in this section, including the equivalent number of
30 instructional hours for schools that operate on a one hundred
31 forty-four-day school year. The hours in which a student is scheduled to
32 attend a common school during the regular school day shall be included in
33 the calculation of the average daily membership for that student.

34 (ii) For high schools, a student who has not graduated from the
35 highest grade taught in the school district and who is enrolled in at
36 least an instructional program of four or more subjects that count toward
37 graduation as defined by the state board of education, each of which, if
38 taught each school day for the minimum number of days required in a school
39 year, would meet a minimum of one hundred twenty-three hours a year, or
40 the equivalent, that meets for a total of at least seven hundred twenty
41 hours for a one hundred eighty-day school year, or the instructional hours
42 prescribed in this section in a recognized high school. A full-time
43 student shall not be counted more than once for computation of average
44 daily membership. The average daily membership of a full-time high school
45 student shall be 1.0 if the student is enrolled in at least four subjects

1 that meet at least seven hundred twenty hours for a one hundred eighty-day
2 school year, or the equivalent instructional hours prescribed in this
3 section. The hours in which a student is scheduled to attend a high
4 school during the regular school day shall be included in the calculation
5 of the average daily membership for that student.

6 (iii) If a child who has not reached five years of age before
7 September 1 of the current school year is admitted to kindergarten and
8 repeats kindergarten in the following school year, a school district or
9 charter school is not eligible to receive basic state aid on behalf of
10 that child during the child's second year of kindergarten. If a child who
11 has not reached five years of age before September 1 of the current school
12 year is admitted to kindergarten but does not remain enrolled, a school
13 district or charter school may receive a portion of basic state aid on
14 behalf of that child in the subsequent year. A school district or charter
15 school may charge tuition for any child who is ineligible for basic state
16 aid pursuant to this item.

17 (iv) Except as otherwise provided by law, for a full-time high
18 school student who is concurrently enrolled in two school districts or two
19 charter schools, the average daily membership shall not exceed 1.0.

20 (v) Except as otherwise provided by law, for any student who is
21 concurrently enrolled in a school district and a charter school, the
22 average daily membership shall be apportioned between the school district
23 and the charter school and shall not exceed 1.0. The apportionment shall
24 be based on the percentage of total time that the student is enrolled in
25 or in attendance at the school district and the charter school.

26 (vi) Except as otherwise provided by law, for any student who is
27 concurrently enrolled, pursuant to section 15-808, in a school district
28 and Arizona online instruction or a charter school and Arizona online
29 instruction, the average daily membership shall be apportioned between the
30 school district and Arizona online instruction or the charter school and
31 Arizona online instruction and shall not exceed 1.0. The apportionment
32 shall be based on the percentage of total time that the student is
33 enrolled in or in attendance at the school district and Arizona online
34 instruction or the charter school and Arizona online instruction.

35 (vii) For homebound or hospitalized, a student receiving at least
36 four hours of instruction per week.

37 (c) "Regular school day" means the regularly scheduled class
38 periods intended for instructional purposes. Instructional purposes may
39 include core subjects, elective subjects, lunch, study halls, music
40 instruction and other classes that advance the academic instruction of
41 pupils. Instructional purposes do not include athletic practices or
42 extracurricular clubs and activities.

43 2. "Budget year" means the fiscal year for which the school
44 district is budgeting and that immediately follows the current year.

1 3. "Common school district" means a political subdivision of this
2 state offering instruction to students in programs for preschool children
3 with disabilities and kindergarten programs and either:

4 (a) Grades one through eight.

5 (b) Grades one through nine pursuant to section 15-447.01.

6 4. "Current year" means the fiscal year in which a school district
7 is operating.

8 5. "Daily attendance" means:

9 (a) For common schools, days in which a pupil:

10 (i) Of a kindergarten program or ungraded, but not group B children
11 with disabilities, who is at least five, but under six, years of age by
12 September 1 attends at least three-quarters of the instructional time
13 scheduled for the day. If the total instruction time scheduled for the
14 year is at least three hundred fifty-six hours but is less than seven
15 hundred twelve hours, such attendance shall be counted as one-half day of
16 attendance. If the instructional time scheduled for the year is at least
17 six hundred ninety-two hours, "daily attendance" means days in which a
18 pupil attends at least one-half of the instructional time scheduled for
19 the day. Such attendance shall be counted as one-half day of attendance.
20 A school district or charter school may satisfy any of the time and hours
21 requirements prescribed in this item in any manner prescribed in the
22 school district's or charter school's instructional time model adopted
23 under section 15-901.08.

24 (ii) Of the first, second or third grades attends more than
25 three-quarters of the instructional time scheduled for the day. A school
26 district or charter school may satisfy any of the time and hours
27 requirements prescribed in this item in any manner prescribed in the
28 school district's or charter school's instructional time model adopted
29 under section 15-901.08.

30 (iii) Of the fourth, fifth or sixth grades attends more than
31 three-quarters of the instructional time scheduled for the day, except as
32 provided in section 15-797. A school district or charter school may
33 satisfy any of the time and hours requirements prescribed in this item in
34 any manner prescribed in the school district's or charter school's
35 instructional time model adopted under section 15-901.08.

36 (iv) Of the seventh or eighth grades attends more than
37 three-quarters of the instructional time scheduled for the day, except as
38 provided in section 15-797. A school district or charter school may
39 satisfy any of the time and hours requirements prescribed in this item in
40 any manner prescribed in the school district's or charter school's
41 instructional time model adopted under section 15-901.08.

42 (b) For common schools, the attendance of a pupil at three-quarters
43 or less of the instructional time scheduled for the day shall be counted
44 as follows, except as provided in section 15-797 and except that

1 attendance for a fractional student shall not exceed the pupil's
 2 fractional membership:

3 (i) If attendance for all pupils in the school is based on quarter
 4 days, the attendance of a pupil shall be counted as one-fourth of a day's
 5 attendance for each one-fourth of full-time instructional time attended.
 6 A school district or charter school may satisfy any of the time and hours
 7 requirements prescribed in this item in any manner prescribed in the
 8 school district's or charter school's instructional time model adopted
 9 under section 15-901.08.

10 (ii) If attendance for all pupils in the school is based on half
 11 days, the attendance of at least three-quarters of the instructional time
 12 scheduled for the day shall be counted as a full day's attendance and
 13 attendance at a minimum of one-half but less than three-quarters of the
 14 instructional time scheduled for the day equals one-half day of
 15 attendance. A school district or charter school may satisfy any of the
 16 time and hours requirements prescribed in this item in any manner
 17 prescribed in the school district's or charter school's instructional time
 18 model adopted under section 15-901.08.

19 (c) For common schools, the attendance of a preschool child with
 20 disabilities shall be counted as one-fourth day's attendance for each
 21 thirty-six minutes of attendance, except as provided in paragraph 1,
 22 subdivision (a), item (i) of this subsection for children with
 23 disabilities up to a maximum of three hundred sixty minutes each week. A
 24 school district or charter school may satisfy any of the time and hours
 25 requirements prescribed in this subdivision in any manner prescribed in
 26 the school district's or charter school's instructional time model adopted
 27 under section 15-901.08.

28 (d) For high schools, the attendance of a pupil shall not be
 29 counted as a full day unless the pupil is actually and physically in
 30 attendance and enrolled in and carrying four subjects, each of which, if
 31 taught each school day for the minimum number of days required in a school
 32 year, would meet a minimum of one hundred twenty-three hours a year, or
 33 the equivalent, that count toward graduation in a recognized high school
 34 except as provided in section 15-797 and subdivision (e) of this
 35 paragraph. Attendance of a pupil carrying less than the load prescribed
 36 shall be prorated. A school district or charter school may satisfy any of
 37 the time and hours requirements prescribed in this subdivision in any
 38 manner prescribed in the school district's or charter school's
 39 instructional time model adopted under section 15-901.08.

40 (e) For high schools, the attendance of a pupil may be counted as
 41 one-fourth of a day's attendance for each sixty minutes of instructional
 42 time in a subject that counts toward graduation, except that attendance
 43 for a pupil shall not exceed the pupil's full or fractional membership. A
 44 school district or charter school may satisfy any of the time and hours
 45 requirements prescribed in this subdivision in any manner prescribed in

1 the school district's or charter school's instructional time model adopted
2 under section 15-901.08.

3 (f) For homebound or hospitalized, a full day of attendance may be
4 counted for each day during a week in which the student receives at least
5 four hours of instruction. A school district or charter school may
6 satisfy any of the time and hours requirements prescribed in this
7 subdivision in any manner prescribed in the school district's or charter
8 school's instructional time model adopted under section 15-901.08.

9 (g) For school districts that maintain school for an approved
10 year-round school year operation, attendance shall be based on a
11 computation, as prescribed by the superintendent of public instruction, of
12 the one hundred eighty days' equivalency or two hundred days' equivalency,
13 as applicable, of instructional time as approved by the superintendent of
14 public instruction during which each pupil is enrolled. A school district
15 or charter school may satisfy any of the time and hours requirements
16 prescribed in this subdivision in any manner prescribed in the school
17 district's or charter school's instructional time model adopted under
18 section 15-901.08.

19 6. "Daily route mileage" means the sum of:

20 (a) The total number of miles driven daily by all buses of a school
21 district while transporting eligible students from their residence to the
22 school of attendance and from the school of attendance to their residence
23 on scheduled routes approved by the superintendent of public instruction.

24 (b) The total number of miles driven daily on routes approved by
25 the superintendent of public instruction for which a private party, a
26 political subdivision or a common or a contract carrier is reimbursed for
27 bringing an eligible student from the place of the student's residence to
28 a school transportation pickup point or to the school of attendance and
29 from the school transportation scheduled return point or from the school
30 of attendance to the student's residence. Daily route mileage includes
31 the total number of miles necessary to drive to transport eligible
32 students from and to their residence as provided in this paragraph.

33 7. "District support level" means the base support level plus the
34 transportation support level.

35 8. "Eligible students" means:

36 (a) Students who are transported by or for a school district and
37 who qualify as full-time students or fractional students, except students
38 for whom transportation is paid by another school district or a county
39 school superintendent, and:

40 (i) For common school students, whose place of actual residence
41 within the school district is more than one mile from the school facility
42 of attendance or students who are admitted pursuant to section 15-816.01
43 and who meet the economic eligibility requirements established under the
44 national school lunch and child nutrition acts (42 United States Code
45 sections 1751 through 1793) for free or reduced-price lunches and whose

1 actual place of residence outside the school district boundaries is more
2 than one mile from the school facility of attendance.

3 (ii) For high school students, whose place of actual residence
4 within the school district is more than one and one-half miles from the
5 school facility of attendance or students who are admitted pursuant to
6 section 15-816.01 and who meet the economic eligibility requirements
7 established under the national school lunch and child nutrition acts
8 (42 United States Code sections 1751 through 1793) for free or
9 reduced-price lunches and whose actual place of residence outside the
10 school district boundaries is more than one and one-half miles from the
11 school facility of attendance.

12 (b) Kindergarten students, for purposes of computing the number of
13 eligible students under subdivision (a), item (i) of this paragraph, shall
14 be counted as full-time students, notwithstanding any other provision of
15 law.

16 (c) Children with disabilities, as defined by section 15-761, who
17 are transported by or for the school district or who are admitted pursuant
18 to chapter 8, article 1.1 of this title and who qualify as full-time
19 students or fractional students regardless of location or residence within
20 the school district or children with disabilities whose transportation is
21 required by the pupil's individualized education program.

22 (d) Students whose residence is outside the school district and who
23 are transported within the school district on the same basis as students
24 who reside in the school district.

25 9. "Enrolled" or "enrollment" means that a pupil is currently
26 registered in the school district.

27 10. "GDP price deflator" means the average of the four implicit
28 price deflators for the gross domestic product reported by the United
29 States department of commerce for the four quarters of the calendar year.

30 11. "High school district" means a political subdivision of this
31 state offering instruction to students for grades nine through twelve or
32 that portion of the budget of a common school district that is allocated
33 to teaching high school subjects with permission of the state board of
34 education.

35 12. "Instructional hours" or "instructional time" means hours or
36 time spent pursuant to an instructional time model adopted under section
37 15-901.08.

38 13. "Revenue control limit" means the base revenue control limit
39 plus the transportation revenue control limit.

40 14. "Student count" means average daily membership as prescribed in
41 this subsection for the fiscal year before the current year, except that
42 for the purpose of budget preparation student count means average daily
43 membership as prescribed in this subsection for the current year.

1 15. "Submit electronically" means submitted in a format and in a
2 manner prescribed by the department of education.

3 16. "Total bus mileage" means the total number of miles driven by
4 all buses of a school district during the school year.

5 17. "Total students transported" means all eligible students
6 transported from their place of residence to a school transportation
7 pickup point or to the school of attendance and from the school of
8 attendance or from the school transportation scheduled return point to
9 their place of residence.

10 18. "Unified school district" means a political subdivision of this
11 state offering instruction to students in programs for preschool children
12 with disabilities and kindergarten programs and grades one through twelve.

13 B. In this title, unless the context otherwise requires:

14 1. "Base" means the revenue level per student count specified by
15 the legislature.

16 2. "Base level" means the following amounts plus the percentage
17 ~~increases~~ INCREASE to the base level as provided in ~~sections~~ SECTION
18 15-902.04 ~~and 15-952, except that if a school district or charter school~~
19 ~~is eligible for an increase in the base level as provided in two or more~~
20 ~~of these sections, the base level amount shall be calculated by~~
21 ~~compounding rather than adding the sum of one plus the percentage of the~~
22 ~~increase from those different sections:~~

23 ~~(a) For fiscal year 2019-2020, \$4,150.43.~~

24 ~~(b)~~ (a) For fiscal year 2020-2021, \$4,305.73.

25 ~~(c)~~ (b) For fiscal year 2021-2022, \$4,390.65.

26 (c) FOR FISCAL YEAR 2022-2023, \$4,736.63.

27 3. "Base revenue control limit" means the base revenue control
28 limit computed as provided in section 15-944.

29 4. "Base support level" means the base support level as provided in
30 section 15-943.

31 5. "Certified teacher" means a person who is certified as a teacher
32 pursuant to the rules adopted by the state board of education, who renders
33 direct and personal services to schoolchildren in the form of instruction
34 related to the school district's educational course of study and who is
35 paid from the maintenance and operation section of the budget.

36 6. "DD" means programs for children with developmental delays who
37 are at least three years of age but under ten years of age. A preschool
38 child who is categorized under this paragraph is not eligible to receive
39 funding pursuant to section 15-943, paragraph 2, subdivision (b).

40 7. "ED, MIID, SLD, SLI and OHI" means programs for children with
41 emotional disabilities, mild intellectual disabilities, a specific
42 learning disability, a speech/language impairment and other health
43 impairments. A preschool child who is categorized as SLI under this
44 paragraph is not eligible to receive funding pursuant to section 15-943,
45 paragraph 2, subdivision (b).

1 8. "ED-P" means programs for children with emotional disabilities
2 who are enrolled in private special education programs as prescribed in
3 section 15-765, subsection D, paragraph 1 or in an intensive school
4 district program as provided in section 15-765, subsection D, paragraph 2.

5 9. "ELL" means English learners who do not speak English or whose
6 native language is not English, who are not currently able to perform
7 ordinary classroom work in English and who are enrolled in an English
8 language education program pursuant to sections 15-751, 15-752 and 15-753.

9 10. "Full-time equivalent certified teacher" or "FTE certified
10 teacher" means for a certified teacher the following:

11 (a) If employed full time as defined in section 15-501, 1.00.

12 (b) If employed less than full time, multiply 1.00 by the
13 percentage of a full school day, or its equivalent, or a full class load,
14 or its equivalent, for which the teacher is employed as determined by the
15 governing board.

16 11. "G" means educational programs for gifted pupils who score at
17 or above the ninety-seventh percentile, based on national norms, on a test
18 adopted by the state board of education.

19 12. "Group A" means educational programs for career exploration, a
20 specific learning disability, an emotional disability, a mild intellectual
21 disability, remedial education, a speech/language impairment,
22 developmental delay, homebound pupils, bilingual pupils and pupils with
23 other health impairments.

24 13. "Group B" means educational improvements for pupils in
25 kindergarten programs and grades one through three, educational programs
26 for autism, a hearing impairment, a moderate intellectual disability,
27 multiple disabilities, multiple disabilities with severe sensory
28 impairment, orthopedic impairments, preschool severe delay, a severe
29 intellectual disability and emotional disabilities for school age pupils
30 enrolled in private special education programs or in school district
31 programs for children with severe disabilities or visual impairment and
32 English learners enrolled in a program to promote English language
33 proficiency pursuant to section 15-752.

34 14. "HI" means programs for pupils with hearing impairment.

35 15. "Homebound" or "hospitalized" means a pupil who is capable of
36 profiting from academic instruction but is unable to attend school due to
37 illness, disease, accident or other health conditions, who has been
38 examined by a competent medical doctor and who is certified by that doctor
39 as being unable to attend regular classes for a period of not less than
40 three school months or a pupil who is capable of profiting from academic
41 instruction but is unable to attend school regularly due to chronic or
42 acute health problems, who has been examined by a competent medical doctor
43 and who is certified by that doctor as being unable to attend regular
44 classes for intermittent periods of time totaling three school months
45 during a school year. The medical certification shall state the general

1 medical condition, such as illness, disease or chronic health condition,
2 that is the reason that the pupil is unable to attend school. Homebound
3 or hospitalized includes a student who is unable to attend school for a
4 period of less than three months due to a pregnancy if a competent medical
5 doctor, after an examination, certifies that the student is unable to
6 attend regular classes due to risk to the pregnancy or to the student's
7 health.

8 16. "K-3" means kindergarten programs and grades one through three.

9 17. "K-3 reading" means reading programs for pupils in kindergarten
10 programs and grades one, two and three.

11 18. "MD-R, A-R and SID-R" means resource programs for pupils with
12 multiple disabilities, autism and severe intellectual disability.

13 19. "MD-SC, A-SC and SID-SC" means self-contained programs for
14 pupils with multiple disabilities, autism and severe intellectual
15 disability.

16 20. "MD-SSI" means a program for pupils with multiple disabilities
17 with severe sensory impairment.

18 21. "MOID" means programs for pupils with moderate intellectual
19 disability.

20 22. "OI-R" means a resource program for pupils with orthopedic
21 impairments.

22 23. "OI-SC" means a self-contained program for pupils with
23 orthopedic impairments.

24 24. "PSD" means preschool programs for children with disabilities
25 as provided in section 15-771.

26 25. "P-SD" means programs for children who meet the definition of
27 preschool severe delay as provided in section 15-771.

28 26. "Qualifying tax rate" means the qualifying tax rate specified
29 in section 15-971 applied to the assessed valuation used for primary
30 property taxes.

31 27. "Small isolated school district" means a school district that
32 meets all of the following:

33 (a) Has a student count of fewer than six hundred in kindergarten
34 programs and grades one through eight or grades nine through twelve.

35 (b) Contains no school that is fewer than thirty miles by the most
36 reasonable route from another school, or, if road conditions and terrain
37 make the driving slow or hazardous, fifteen miles from another school that
38 teaches one or more of the same grades and is operated by another school
39 district in this state.

40 (c) Is designated as a small isolated school district by the
41 superintendent of public instruction.

42 28. "Small school district" means a school district that meets all
43 of the following:

44 (a) Has a student count of fewer than six hundred in kindergarten
45 programs and grades one through eight or grades nine through twelve.

1 (b) Contains at least one school that is fewer than thirty miles by
2 the most reasonable route from another school that teaches one or more of
3 the same grades and is operated by another school district in this state.

4 (c) Is designated as a small school district by the superintendent
5 of public instruction.

6 29. "Transportation revenue control limit" means the transportation
7 revenue control limit computed as prescribed in section 15-946.

8 30. "Transportation support level" means the support level for
9 pupil transportation operating expenses as provided in section 15-945.

10 31. "VI" means programs for pupils with visual impairments.

11 Sec. 6. Section 15-910, Arizona Revised Statutes, is amended to
12 read:

13 15-910. School district budgets; excess utility costs;
14 desegregation costs; tuition costs for bond issues;
15 costs for registering warrants; report

16 A. The governing board may budget for the district's excess utility
17 costs that are specifically exempt from the district's revenue control
18 limit. If approved by the qualified electors voting at a statewide
19 general election, the exemption from the revenue control limit under this
20 subsection expires at the end of the 2008-2009 budget year. The uniform
21 system of financial records shall specify expenditure items allowable as
22 excess utility costs, which are limited to direct operational costs of
23 heating, cooling, water and electricity, telephone communications and
24 sanitation fees. The department of education and the auditor general
25 shall include in the maintenance and operation section of the budget
26 format, as provided in section 15-903, a separate line for utility
27 expenditures and a special excess utility cost category. The special
28 excess utility cost category shall contain budgeted expenditures for
29 excess utility costs, determined as follows:

30 1. Determine the lesser of the total budgeted or total actual
31 utility expenditures for fiscal year 1984-1985.

32 2. Multiply the amount in paragraph 1 of this subsection by the
33 total percentage increase or decrease in the revenue control limit and the
34 capital outlay revenue limit for the budget year over the revenue control
35 limit and the capital outlay revenue limit for fiscal year 1984-1985
36 ~~excluding monies available from a teacher compensation program provided~~
37 ~~for in section 15-952.~~

38 3. The sum of the amounts in paragraphs 1 and 2 of this subsection
39 is the amount budgeted in the utility expenditure line.

40 4. Additional expenditures for utilities are budgeted in the excess
41 utility cost category.

42 B. The governing board shall apply the same percentage increase or
43 decrease allowed in the revenue control limit and the capital outlay
44 revenue limit as provided in section 15-905, subsection E to the utility
45 expenditure line of the budget.

1 C. The governing board may expend from the excess utility cost
2 category only after it has expended for utility purposes the full amount
3 budgeted in the utility expenditure line of the budget.

4 D. The governing board, after notice is given and a public meeting
5 is held as provided in section 15-905, subsection D, may revise at any
6 time before May 15 the amount budgeted in the excess utility cost category
7 for the current year. Not later than May 18, the budget as revised shall
8 be submitted electronically to the superintendent of public instruction.

9 E. If the revised excess utility cost category results in an
10 expenditure of monies in excess of school district revenues for the
11 current year, the county school superintendent shall include within the
12 revenue estimate for the budget year monies necessary to meet the
13 liabilities incurred by the school district in the current year in excess
14 of revenues received for the current year.

15 F. If a school district receives a refund of utility expenditures
16 or a rebate on energy saving devices or services, the refund or rebate
17 shall be applied against utility expenditures for the current year as a
18 reduction of the expenditures, except that the reduction of expenditures
19 shall not exceed the amount of actual utility expenditures.

20 G. The governing board may budget for expenses of complying with or
21 continuing to implement activities that were required or permitted by a
22 court order of desegregation or administrative agreement with the United
23 States department of education office for civil rights directed toward
24 remediating alleged or proven racial discrimination that are specifically
25 exempt in whole or in part from the revenue control limit and district
26 additional assistance. This exemption applies only to expenses incurred
27 for activities that are begun before the termination of the court order or
28 administrative agreement. If a district is levying a property tax on
29 February 23, 2006 and using those monies to administer an English language
30 learner program to remedy alleged or proven discrimination under title VI
31 of the civil rights act of 1964 (42 United States Code section 2000d), the
32 district may spend those monies to remedy a violation of the equal
33 educational opportunities act of 1974 (20 United States Code section
34 1703(f)). Nothing in this subsection allows a school district to levy a
35 property tax for violations of the equal educational opportunities act of
36 1974 (20 United States Code section 1703(f)) in the absence of an alleged
37 or proven discrimination under title VI of the civil rights act of 1964
38 (42 United States Code section 2000d).

39 H. If a governing board chooses to budget monies outside of the
40 revenue control limit as provided in subsection G of this section, the
41 governing board may do one of the following:

42 1. Use monies from the maintenance and operation fund equal to any
43 excess desegregation or compliance expenses beyond the revenue control
44 limit before June 30 of the current year.

1 2. Notify the county school superintendent to include the cost of
2 the excess expenses in the county school superintendent's estimate of the
3 additional amount needed for the school district from the secondary
4 property tax as provided in section 15-991.

5 3. Employ the provisions of both paragraphs 1 and 2 of this
6 subsection, provided that the total amount transferred and included in the
7 amount needed from property taxes does not exceed the total amount
8 budgeted as prescribed in subsection J, paragraph 1 of this section.

9 I. If a governing board chooses to budget monies outside of
10 district additional assistance as provided in subsection G of this
11 section, the governing board may notify the county school superintendent
12 to include the cost of the excess expenses in the county school
13 superintendent's estimate of the additional amount needed for the school
14 district from the secondary property tax as provided in section 15-991.

15 J. A governing board using subsections G, H and I of this section:

16 1. Shall prepare and employ a separate maintenance and operation
17 desegregation budget and capital outlay desegregation budget on a form
18 prescribed by the superintendent of public instruction in conjunction with
19 the auditor general. The budget format shall be designed to allow a
20 school district to plan and provide in detail for expenditures to be
21 incurred solely as a result of compliance with or continuing to implement
22 activities that were required or permitted by a court order of
23 desegregation or administrative agreement with the United States
24 department of education office for civil rights directed toward
25 remediating alleged or proven racial discrimination.

26 2. Shall prepare as a part of the annual financial report a
27 detailed report of expenditures incurred solely as a result of compliance
28 with or continuing to implement activities that were required or permitted
29 by a court order of desegregation or administrative agreement with the
30 United States department of education office for civil rights directed
31 toward remediating alleged or proven racial discrimination, in a format
32 prescribed by the auditor general in conjunction with the Arizona
33 department of education as provided by section 15-904.

34 3. On or before July 15 each year, shall collect and report data
35 regarding activities related to a court order of desegregation or an
36 administrative agreement with the United States department of education
37 office for civil rights directed toward remediating alleged or proven
38 racial discrimination in a format prescribed by the Arizona department of
39 education. The Arizona department of education shall compile and submit
40 copies of the reports to the governor, the president of the senate, the
41 speaker of the house of representatives and the chairpersons of the
42 education committees of the senate and the house of representatives and
43 shall submit a copy to the secretary of state. A school district that
44 becomes subject to a new court order of desegregation or a party to an
45 administrative agreement with the United States department of education

1 office for civil rights directed toward remediating alleged or proven
2 racial discrimination shall submit these reports on or before July 15 or
3 within ninety days of the date of the court order or administrative
4 agreement, whichever occurs first. The Arizona department of education,
5 in consultation with the auditor general, shall develop reporting
6 requirements to ensure that school districts submit at least the following
7 information and documentation to the Arizona department of education:

8 (a) A district-wide budget summary and a budget summary on a
9 school-by-school basis for each school in the school district that lists
10 the sources and uses of monies that are designated for desegregation
11 purposes.

12 (b) A detailed list of desegregation activities on a district-wide
13 basis and on a school-by-school basis for each school in the school
14 district.

15 (c) The date that the school district was determined to be out of
16 compliance with title VI of the civil rights act of 1964 (42 United States
17 Code section 2000d) and the basis for that determination.

18 (d) The initial date that the school district began to levy
19 property taxes to provide funding for desegregation expenses and any dates
20 that these property tax levies were increased.

21 (e) If applicable, a current and accurate description of all magnet
22 type programs that are in operation pursuant to the court order during the
23 current school year on a district-wide basis and on a school-by-school
24 basis. This information shall contain the eligibility and attendance
25 criteria of each magnet type program, the capacity of each magnet type
26 program, the ethnic composition goals of each magnet type program, the
27 actual attending ethnic composition of each magnet type program and the
28 specific activities offered in each magnet type program.

29 (f) The number of pupils who participate in desegregation
30 activities on a district-wide basis and on a school-by-school basis for
31 each school in the school district.

32 (g) A detailed summary of the academic achievement of pupils on a
33 district-wide basis and on a school-by-school basis for each school in the
34 school district.

35 (h) The number of employees, including teachers and administrative
36 personnel, on a district-wide basis and on a school-by-school basis for
37 each school in the school district that is necessary to conduct
38 desegregation activities.

39 (i) The number of employees, including teachers and administrative
40 personnel, on a district-wide basis and on a school-by-school basis for
41 each school in the school district and the number of employees at school
42 district administrative offices that are funded in whole or in part with
43 desegregation monies received pursuant to this section.

1 (j) The amount of monies that is not derived through a primary or
2 secondary property tax levy and that is budgeted and spent on
3 desegregation activities on a district-wide basis and on a
4 school-by-school basis for each school in the school district.

5 (k) Verification that the desegregation funding will supplement and
6 not supplant funding for other academic and extracurricular activities.

7 (l) Verification that the desegregation funding is educationally
8 justifiable.

9 (m) Any documentation that supports the proposition that the
10 requested desegregation funding is intended to result in equal education
11 opportunities for all pupils in the school district.

12 (n) Verification that the desegregation funding will be used to
13 promote systemic and organizational changes within the school district.

14 (o) Verification that the desegregation funding will be used in
15 accordance with the academic standards adopted by the state board of
16 education pursuant to sections 15-701 and 15-701.01.

17 (p) Verification that the desegregation funding will be used to
18 accomplish specific actions to remediate proven discrimination pursuant to
19 title VI of the civil rights act of 1964 (42 United States Code section
20 2000d) as specified in the court order or administrative agreement.

21 (q) An evaluation by the school district of the effectiveness of
22 the school district's desegregation measures.

23 (r) An estimate of when the school district will be in compliance
24 with the court order or administrative agreement and a detailed account of
25 the steps that the school district will take to achieve compliance.

26 (s) Any other information that the Arizona department of education
27 deems necessary to carry out the purposes of this paragraph.

28 K. If a school district governing board budgets for expenses of
29 complying with a court order of desegregation or an administrative
30 agreement with the United States department of education office for civil
31 rights directed toward remediating alleged or proven racial
32 discrimination, the governing board shall ensure that the desegregation
33 expenses will:

34 1. Be educationally justifiable.

35 2. Result in equal education opportunities for all pupils in the
36 school district.

37 3. Be used to promote systemic and organizational changes within
38 the school district.

39 4. Be used in accordance with the academic standards adopted by the
40 state board of education pursuant to sections 15-701 and 15-701.01.

41 5. Be used to accomplish specific actions to remediate proven
42 discrimination pursuant to title VI of the civil rights act of 1964
43 (42 United States Code section 2000d) as specified in the court order or
44 administrative agreement.

1 6. Be used in accordance with a plan submitted to the department of
2 education that includes an estimate of the amount of monies that will be
3 required to bring the school district into compliance with the court order
4 or administrative agreement and an estimate of when the school district
5 will be in compliance with the court order or administrative agreement.

6 7. Each fiscal year, not exceed the amount budgeted by the school
7 district for desegregation expenses in fiscal year 2008-2009.

8 L. Beginning in fiscal year 2018-2019, subsections G through K of
9 this section apply only if the governing board uses revenues from
10 secondary property taxes rather than primary property taxes to fund
11 expenses of complying with or continuing to implement activities that were
12 required or allowed by a court order of desegregation or administrative
13 agreement with the United States department of education office for civil
14 rights directed toward remediating alleged or proven racial discrimination
15 that are specifically exempt in whole or in part from the revenue control
16 limit and district additional assistance. Secondary property taxes levied
17 pursuant to this subsection do not require voter approval, but shall be
18 separately delineated on a property owner's property tax statement.

19 M. The governing board may budget for the bond issues portion of
20 the cost of tuition charged the district as provided in section 15-824 for
21 the pupils attending school in another school district, except that if the
22 district is a common school district not within a high school district,
23 the district may only include that part of tuition that is excluded from
24 the revenue control limit and district support level as provided in
25 section 15-951. The bond issues portion of the cost of tuition charged is
26 specifically exempt from the revenue control limit of the school district
27 of residence, and the primary property tax rate set to fund this amount
28 shall not be included in the computation of additional state aid for
29 education as provided in section 15-972, except as provided in section
30 15-972, subsection E. The department of education and the auditor general
31 shall include in the maintenance and operation section of the budget
32 format, as provided in section 15-903, a separate category for the bond
33 issues portion of the cost of tuition.

34 N. The governing board may budget for interest expenses it incurred
35 for registering warrants drawn against a fund of the school district or
36 net interest expense on tax anticipation notes as prescribed in section
37 35-465.05, subsection C for the fiscal year preceding the current year if
38 the county treasurer pooled all school district monies for investment as
39 provided in section 15-996 for the fiscal year preceding the current year
40 and, in those school districts that receive state aid, the school
41 districts applied for an apportionment of state aid before the date set
42 for the apportionment as provided in section 15-973 for the fiscal year
43 preceding the current year. The governing board may budget an amount for
44 interest expenses for registering warrants or issuing tax anticipation
45 notes equal to or less than the amount of the warrant interest expense or

1 net interest expense on tax anticipation notes as prescribed in section
2 35-465.05, subsection C for the fiscal year preceding the current year as
3 provided in this subsection that is specifically exempt from the revenue
4 control limit. For the purposes of this subsection, "state aid" means
5 state aid as determined in sections 15-971 and 15-972.

6 Sec. 7. Section 15-913.01, Arizona Revised Statutes, is amended to
7 read:

8 15-913.01. Education program; county jails

9 A. Each county that operates a county jail shall offer an education
10 program to serve all prisoners who are ~~under eighteen years of age and~~
11 ~~prisoners with disabilities who are age~~ twenty-one YEARS OF AGE or
12 younger, WHO DO NOT HAVE A HIGH SCHOOL DIPLOMA OR A GENERAL EQUIVALENCY
13 DIPLOMA and who are confined in the county jail. The county school
14 superintendent and the sheriff in each county shall agree on the method of
15 delivery of the education program.

16 B. The county school superintendent shall develop policies and
17 procedures ~~for the TO~~ transfer of THE educational records of any prisoner
18 confined in a county jail who has been transferred from a juvenile
19 detention center or from any other public agency that has provided
20 educational services to that prisoner.

21 C. A county may operate its county jail education program through
22 an accommodation school that provides alternative education services
23 pursuant to section 15-308, except that each pupil enrolled in the
24 accommodation school county jail education program shall be funded at an
25 amount equal to seventy-two ~~per cent~~ PERCENT of the amount for that pupil
26 if that pupil were enrolled in another accommodation school program.

27 D. If a county chooses not to operate its county jail education
28 program through an accommodation school, the county school superintendent
29 may establish a county jail education fund to provide financial support to
30 the program. The county jail education fund for each program shall
31 consist of a base amount plus a variable amount. For fiscal year
32 1999-2000, the base amount is ~~fourteen thousand four hundred dollars~~
33 \$14,400 and the variable amount shall be determined pursuant to subsection
34 E of this section. The base amount and variable amount for each county or
35 counties served shall be funded with state general fund monies, subject to
36 appropriation. The county school superintendent must submit claims for
37 payments to the ~~state~~ superintendent of public instruction. The county
38 school superintendent shall deposit the payments ~~into~~ IN the RESPECTIVE
39 county jail education fund.

40 E. The variable amount shall be determined as follows:

41 1. Determine the number of days in the prior fiscal year that each
42 pupil who is a prisoner and who had been in the county jail for more than
43 forty-eight hours received an instructional program of at least two
44 hundred forty minutes. ~~No~~ A school district may NOT count a pupil as

1 being in attendance in that school district on a day that the pupil is
2 counted as a prisoner for the purposes of this paragraph.

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

5 (a) For fiscal year 1999-2000, ~~ten dollars eighty cents~~ \$10.80.

6 (b) For fiscal year 2000-2001 and each year thereafter, the amount
7 for the prior year adjusted by any growth rate prescribed by law, subject
8 to legislative appropriation.

9 3. For each pupil who is a child with a disability as defined in
10 section 15-761, who is a prisoner and who had been in the county jail for
11 more than forty-eight hours:

12 (a) Determine the amount prescribed in section 15-1204, subsection
13 E, paragraph 1 or 2, multiply the amount by .72 and add ~~seventy-two~~
14 ~~dollars~~ \$72 for capital outlay costs.

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

17 (c) Subtract the amount prescribed in paragraph 2 of this
18 subsection from the quotient determined in subdivision (b) of this
19 paragraph.

20 (d) Determine the number of days in the prior fiscal year that the
21 pupil received an instructional program of at least two hundred forty
22 minutes.

23 (e) Multiply the amount determined in subdivision (d) of this
24 paragraph by the difference determined in subdivision (c) of this
25 paragraph.

26 4. Add the amounts determined in paragraph 3 of this subsection for
27 all pupils with disabilities who are prisoners.

28 5. Add the sum determined in paragraph 4 of this subsection to the
29 product determined in paragraph 2 of this subsection. This sum is the
30 variable amount.

31 F. If a county jail education program serves more than one county,
32 the county school superintendents and the sheriffs of the counties being
33 served shall agree on a county of jurisdiction. The county school
34 superintendent shall deposit ~~into~~ IN the county jail education fund of the
35 county of jurisdiction monies that are received from the superintendent of
36 public instruction pursuant to this section for all counties served by the
37 county of jurisdiction.

38 G. If a county operated a county jail education program through an
39 accommodation school in the year before it begins to operate its county
40 jail education program as provided in subsection D of this section, for
41 the first year of operation as provided in subsection D of this section,
42 the student count of the accommodation school shall be reduced by the
43 average daily membership attributable to the accommodation school's county
44 jail EDUCATION program in its last fiscal year of operation.

1 Sec. 8. Section 15-943, Arizona Revised Statutes, is amended to
2 read:

3 15-943. Base support level

4 The base support level for each school district shall be computed as
5 follows:

6 1. The following support level weights shall be used in
7 paragraph 2, subdivision (a) of this section for the following school
8 districts:

9 (a) For school districts whose student count in kindergarten
10 programs and grades one through eight is classified in column 1 of this
11 subdivision, the support level weight for kindergarten programs and grades
12 one through eight is the corresponding support level weight prescribed in
13 column 2 or 3 of this subdivision, whichever is appropriate:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	Support Level Weight For Small Isolated	Support Level Weight For Small
<u>Student Count</u>	<u>School Districts</u>	<u>School Districts</u>
1-99	1.559	1.399
100-499	1.358 + [0.0005 x (500 - student count)]	1.278 + [0.0003 x (500 - student count)]
500-599	1.158 + [0.002 x (600 - student count)]	1.158 + [0.0012 x (600 - student count)]

23 (b) For school districts whose student count in grades nine through
24 twelve is classified in column 1 of this subdivision, the support level
25 weight for grades nine through twelve is the corresponding support level
26 weight prescribed in column 2 or 3 of this subdivision, whichever is
27 appropriate:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	Support Level Weight For Small Isolated	Support Level Weight For Small
<u>Student Count</u>	<u>School Districts</u>	<u>School Districts</u>
1-99	1.669	1.559
100-499	1.468 + [0.0005 x (500 - student count)]	1.398 + [0.0004 x (500 - student count)]
500-599	1.268 + [0.002 x (600 - student count)]	1.268 + [0.0013 x (600 - student count)]

1 2. Subject to paragraph 1 of this section, determine the weighted
2 student count as follows:

3 (a)

					Support		Student		Weighted	
					Level		Count		Student	
	<u>Grade</u>	<u>Base</u>		<u>Group A</u>	<u>Weight</u>				<u>Count</u>	
7	PSD	1.000	+	0.450	=	1.450	x	_____	=	_____
8	K-8	1.000	+	0.158	=	1.158	x	_____	=	_____
9	9-12	1.163	+	0.105	=	1.268	x	_____	=	_____
10								Subtotal	A	_____

11 (b)

					Support		Student		Weighted
					Level		Count		Student
	<u>Funding</u>				<u>Weight</u>				<u>Count</u>
	<u>Category</u>								
15	HI				4.771	x	_____	=	_____
16	K-3				0.060	x	_____	=	_____
17	K-3 reading				0.040	x	_____	=	_____
18	ELL				0.115	x	_____	=	_____
19	MD-R, A-R and								
20	SID-R				6.024	x	_____	=	_____
21	MD-SC, A-SC and								
22	SID-SC				5.988	x	_____	=	_____
23	MD-SSI				7.947	x	_____	=	_____
24	OI-R				3.158	x	_____	=	_____
25	OI-SC				6.773	x	_____	=	_____
26	P-SD				3.595	x	_____	=	_____
27	DD, ED, MIID, SLD,								
28	SLI and OHI				0.093 0.292	x	_____	=	_____
29	ED-P				4.822	x	_____	=	_____
30	MOID				4.421	x	_____	=	_____
31	VI				4.806	x	_____	=	_____
32	G				0.007	x	_____	=	_____
33							Subtotal	B	_____

34 (c) Total of subtotals A and B:

35 3. Multiply the total determined in paragraph 2 of this section by
36 the base level.

37 4. Multiply the teacher experience index of the district or 1.00,
38 whichever is greater, by the product obtained in paragraph 3 of this
39 section.

40 5. For the purposes of this section, the student count is the
41 average daily membership as prescribed in section 15-901 for the current
42 year, except that for the purposes of computing the base support level
43 used in determining school district rollover allocations and school
44 district budget override amounts, the student count is the average daily
45 membership as prescribed in section 15-901 for the prior year.

1 Sec. 9. Section 15-945, Arizona Revised Statutes, is amended to
2 read:

3 15-945. Transportation support level

4 A. The support level for to and from school for each school
5 district for the current year shall be computed as follows:

6 1. Determine the approved daily route mileage of the school
7 district for the fiscal year prior to the current year.

8 2. Multiply the figure obtained in paragraph 1 of this subsection
9 by one hundred eighty, or for a school district that elects to provide two
10 hundred days of instruction pursuant to section 15-902.04, multiply the
11 figure obtained in paragraph 1 of this subsection by two hundred.

12 3. Determine the number of eligible students transported in the
13 fiscal year prior to the current year.

14 4. Divide the amount determined in paragraph 1 of this subsection
15 by the amount determined in paragraph 3 of this subsection to determine
16 the approved daily route mileage per eligible student transported.

17 5. Determine the classification in column 1 of this paragraph for
18 the quotient determined in paragraph 4 of this subsection. Multiply the
19 product obtained in paragraph 2 of this subsection by the corresponding
20 state support level for each route mile as provided in column 2 of this
21 paragraph.

<u>Column 1</u>	<u>Column 2</u>
23 Approved Daily Route	State Support Level per
24 Mileage per Eligible	Route Mile for
25 <u>Student Transported</u>	Fiscal Year 2021-2022 <u>2022-2023</u>
26 0.5 or less	2.77 2.83
27 More than 0.5 through 1.0	2.27 2.32
28 More than 1.0	2.77 2.83

29 6. Add the amount spent during the prior fiscal year for bus tokens
30 and bus passes for students who qualify as eligible students as defined in
31 section 15-901.

32 B. The support level for academic education, career and technical
33 education, vocational education and athletic trips for each school
34 district for the current year is computed as follows:

35 1. Determine the classification in column 1 of paragraph 2 of this
36 subsection for the quotient determined in subsection A, paragraph 4 of
37 this section.

38 2. Multiply the product obtained in subsection A, paragraph 5 of
39 this section by the corresponding state support level for academic
40 education, career and technical education, vocational education and
41 athletic trips as provided in column 2, 3 or 4 of this paragraph,
42 whichever is appropriate for the type of district.

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
Approved Daily Route	District Type	District Type	District Type
Mileage per Eligible Student Transported	<u>02 or 03</u>	<u>04</u>	<u>05</u>
0.5 or less	0.15	0.10	0.25
More than 0.5 through 1.0	0.15	0.10	0.25
More than 1.0	0.18	0.12	0.30

For the purposes of this paragraph, "district type 02" means a unified school district or an accommodation school that offers instruction in grades nine through twelve, "district type 03" means a common school district not within a high school district, "district type 04" means a common school district within a high school district or an accommodation school that does not offer instruction in grades nine through twelve and "district type 05" means a high school district.

C. The support level for extended school year services for pupils with disabilities is computed as follows:

1. Determine the sum of the following:

(a) The total number of miles driven by all buses of a school district while transporting eligible pupils with disabilities on scheduled routes from their residence to the school of attendance and from the school of attendance to their residence on routes for extended school year services in accordance with section 15-881.

(b) The total number of miles driven on routes approved by the superintendent of public instruction for which a private party, a political subdivision or a common or a contract carrier is reimbursed for bringing an eligible pupil with a disability from the place of the pupil's residence to a school transportation pickup point or to the school facility of attendance and from the school transportation scheduled return point or from the school facility to the pupil's residence for extended school year services in accordance with section 15-881.

2. Multiply the sum determined in paragraph 1 of this subsection by the state support level for the district determined as provided in subsection A, paragraph 5 of this section.

D. The transportation support level for each school district for the current year is the sum of the support level for to and from school as determined in subsection A of this section, the support level for academic education, career and technical education, vocational education and athletic trips as determined in subsection B of this section and the support level for extended school year services for pupils with disabilities as determined in subsection C of this section.

E. The state support level for each approved route mile, as provided in subsection A, paragraph 5 of this section, shall be adjusted by the growth rate prescribed by law, subject to appropriation.

1 F. School districts must provide the odometer reading for each bus
2 as of the end of the current year and the total bus mileage during the
3 current year.

4 Sec. 10. Repeal

5 Section 15-952, Arizona Revised Statutes, is repealed.

6 Sec. 11. Section 15-953, Arizona Revised Statutes, is amended to
7 read:

8 15-953. Increases in the base level

9 If a school district receives approval to calculate its budget using
10 an increase in the base level ~~as provided in section 15-918 or 15-952 or~~
11 PURSUANT TO any ~~other~~ law for a given fiscal year, that increase in the
12 base level applies only to the fiscal year for which approval was
13 given. In order to calculate its budget using an increase in the base
14 level for any subsequent fiscal year the school district must receive
15 specific approval to do so as prescribed by law.

16 Sec. 12. Section 15-961, Arizona Revised Statutes, is amended to
17 read:

18 15-961. District additional assistance; growth rate

19 A. District additional assistance per student count is established
20 as follows:

21 1. For school districts with a student count of less than one
22 hundred for kindergarten programs and grades one through eight, ~~five~~
23 ~~hundred forty-four dollars fifty-eight cents~~ \$583.79. For school
24 districts with a student count of one hundred or more and less than six
25 hundred for kindergarten programs and grades one through eight, multiply
26 ~~three hundred eighty-nine dollars twenty-five cents~~ \$417.28 by the weight
27 that corresponds to the student count for kindergarten programs and grades
28 one through eight for the school district as provided in section 15-943,
29 paragraph 1, subdivision (a), column 3. For a school district with a
30 student count of six hundred or more in kindergarten programs and grades
31 one through eight, the limit is ~~four hundred fifty dollars seventy-six~~
32 ~~cents~~ \$483.21.

33 2. For school districts with a student count of less than one
34 hundred for grades nine through twelve, ~~six hundred one dollars~~
35 ~~twenty-four cents~~ \$644.53. For school districts with a student count of
36 one hundred or more and less than six hundred for grades nine through
37 twelve, multiply ~~four hundred five dollars fifty-nine cents~~ \$434.79 by the
38 weight that corresponds to the student count for grades nine through
39 twelve for the school district as provided in section 15-943, paragraph 1,
40 subdivision (b), column 3. For a school district with a student count of
41 six hundred or more in grades nine through twelve, the limit is ~~four~~
42 ~~hundred ninety-two dollars ninety-four cents~~ \$528.43.

43 3. For programs for preschool children with disabilities, ~~four~~
44 ~~hundred fifty dollars seventy-six cents~~ \$483.21.

1 B. District additional assistance for a school district shall be
2 computed as follows:

3 1. Select the applicable district additional assistance per student
4 count for the school district.

5 2. Multiply the amount or amounts selected in paragraph 1 of this
6 subsection by the appropriate student count of the school district.

7 3. If a school district's student count used for the budget year is
8 greater than one hundred five percent of the student count used for the
9 current year's budget, increase the adjusted district additional
10 assistance determined in paragraph 2 of this subsection by fifty percent
11 of the actual percentage increase in the school district's student count.

12 C. An amount for the purchase of required textbooks and related
13 printed subject matter materials shall be used to increase the district
14 additional assistance for a school district as determined in subsection B,
15 paragraph 2 or 3 of this section, whichever is applicable. This amount
16 shall equal the student count in grades nine through twelve multiplied by
17 ~~sixty-nine dollars sixty-eight cents~~ \$74.70.

18 Sec. 13. Section 15-971, Arizona Revised Statutes, is amended to
19 read:

20 15-971. Determination of equalization assistance payments
21 from state funds for school districts

22 A. Equalization assistance for education is computed by determining
23 the total of the following:

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

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

28 B. From the total of the amounts determined in subsection A of this
29 section subtract:

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

35 2. The amount that would be produced by levying the applicable
36 qualifying tax rate determined pursuant to section 41-1276 for a unified
37 school district, a common school district not within a high school
38 district or a common school district within a high school district that
39 offers instruction in high school subjects as provided in section 15-447.
40 The qualifying tax rate shall be applied in the following manner:

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

43 (i) Determine separately the percentage that the weighted student
44 count in preschool programs for children with disabilities, kindergarten
45 programs and grades one through eight and the weighted student count in

1 grades nine through twelve is to the weighted student count determined in
2 subtotal A as provided in section 15-943, paragraph 2, subdivision (a).

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

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

11 (c) From the amounts determined in subdivisions (a) and (b) of this
12 paragraph, subtract the levy that would be produced by the current
13 qualifying tax rate for a high school district or a common school district
14 within a high school district that does not offer instruction in high
15 school subjects as provided in section 15-447. If the qualifying tax rate
16 generates a levy that is in excess of the total determined in subsection A
17 of this section, the school district ~~shall~~ IS not ~~be~~ eligible for
18 equalization assistance. For the purposes of this subsection, "assessed
19 valuation" includes the values used to determine voluntary contributions
20 collected pursuant to title 9, chapter 4, article 3 and title 48, chapter
21 1, article 8 and the assessed value of all property subject to the
22 government property lease excise tax pursuant to title 42, chapter 6,
23 article 5.

24 3. The amount that would be produced by levying a qualifying tax
25 rate in a career technical education district, which shall be ~~five cents~~
26 ~~\$.05~~ per ~~one hundred dollars~~ \$100 assessed valuation unless the
27 legislature sets a lower rate by law.

28 ~~6. County aid for equalization assistance for education shall be~~
29 ~~computed as follows:~~

30 ~~1. Determine the total equalization assistance for all school~~
31 ~~districts in the county as provided in subsections A and B of this~~
32 ~~section.~~

33 ~~2. Determine the total amount of state equalization assistance~~
34 ~~collected for all school districts in the county as provided in section~~
35 ~~15-994.~~

36 ~~3. Divide the amount determined in paragraph 2 of this subsection~~
37 ~~by the amount determined in paragraph 1 of this subsection.~~

38 ~~4. Multiply the amount determined in subsections A and B of this~~
39 ~~section by the quotient determined in paragraph 3 of this subsection for~~
40 ~~each school district.~~

41 ~~5. The amount determined in paragraph 4 of this subsection shall be~~
42 ~~the county aid for equalization assistance for education for a school~~
43 ~~district.~~

1 ~~D.~~ C. State aid for equalization assistance for education for a
2 school district shall be ~~computed as follows:~~

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

5 ~~2. For each county, determine the levy that would be produced by~~
6 ~~the state equalization assistance property tax rate prescribed in section~~
7 ~~15-994, subsection A.~~

8 ~~3. Prorate the amount determined in paragraph 2 of this subsection~~
9 ~~to each school district in the county as prescribed by subsection C of~~
10 ~~this section.~~

11 ~~4. Subtract the amount determined in paragraph 3 of this subsection~~
12 ~~from the amount determined in paragraph 1 of this subsection.~~

13 ~~E.~~ D. Equalization assistance for education shall be paid from
14 appropriations for that purpose to the school districts as provided in
15 section 15-973.

16 ~~F.~~ E. A school district shall report expenditures on approved
17 career and technical education and vocational education programs in the
18 annual financial report according to uniform guidelines prescribed by the
19 uniform system of financial records and in order to facilitate compliance
20 with sections 15-255 and 15-904.

21 ~~G.~~ F. The additional weight for state aid purposes given to
22 special education as provided in section 15-943 shall be given to school
23 districts only if special education programs comply with chapter 7,
24 article 4 of this title and the conditions and standards prescribed by the
25 superintendent of public instruction pursuant to rules of the state board
26 of education for pupil identification and placement pursuant to sections
27 15-766 and 15-767.

28 ~~H.~~ G. In addition to state general fund appropriations, all
29 amounts received pursuant to section 37-521, subsection B, paragraph 3,
30 section 42-5029, subsection E, paragraph 5 and **SECTION** 42-5029.02,
31 subsection A, paragraph 5 and from any other source for the purposes of
32 this section are appropriated for state aid to schools as provided in this
33 section.

34 ~~I.~~ H. The total amount of state monies that may be spent in any
35 fiscal year for state equalization assistance shall not exceed the amount
36 appropriated or authorized by section 35-173 for that purpose. This
37 section does not impose a duty on an officer, agent or employee of this
38 state to discharge a responsibility or create any right in a person or
39 group if the discharge or right would require an expenditure of state
40 monies in excess of the expenditure authorized by legislative
41 appropriation for that specific purpose.

42 Sec. 14. Repeal

43 Section 15-994, Arizona Revised Statutes, is repealed.

1 Sec. 15. Section 15-1371, Arizona Revised Statutes, is amended to
2 read:

3 15-1371. Equalization assistance for state educational system
4 for committed youth; state education fund for
5 committed youth

6 A. The superintendent of the state educational system for committed
7 youth shall calculate a base support level as prescribed in section 15-943
8 and district additional assistance as prescribed in section 15-961 for the
9 educational system established pursuant to section 41-2831, except that:

10 1. Notwithstanding section 15-901:

11 (a) The student count shall be determined using the following
12 definitions:

13 (i) "Daily attendance" means days in which a pupil attends an
14 educational program for a minimum of two hundred forty minutes, not
15 including meal and recess periods. Attendance for one hundred twenty or
16 more minutes but fewer than two hundred forty minutes shall be counted as
17 one-half day's attendance.

18 (ii) "Fractional student" means a pupil who is enrolled in an
19 educational program of one hundred twenty or more minutes but fewer than
20 two hundred forty minutes a day, not including meal and recess periods. A
21 fractional student shall be counted as one-half of a full-time student.

22 (iii) "Full-time student" means a pupil who is enrolled in an
23 educational program for a minimum of two hundred forty minutes a day, not
24 including meal and recess periods.

25 (b) "Pupils with serious emotional disabilities enrolled in a
26 school district program as provided in section 15-765" includes pupils
27 with serious emotional disabilities enrolled in the department of juvenile
28 corrections school system.

29 2. All pupils shall be counted as if they were enrolled in grades
30 nine through twelve.

31 3. The teacher experience index is 1.00.

32 4. The base support level shall be calculated using the base level
33 multiplied by 1.0; ~~except that the state educational system for committed~~
34 ~~youth is also eligible for additional teacher compensation monies as~~
35 ~~specified in section 15-952.~~

36 5. Section 15-943, paragraph 1 does not apply.

37 B. The superintendent may use section 15-855 in making the
38 calculations prescribed in subsection A of this section. The
39 superintendent of the system and the department of education shall
40 prescribe procedures for determining average daily membership.

41 C. Equalization assistance for the state educational system for
42 committed youth for the budget year is determined by adding the amount of
43 the base support level and district additional assistance for the budget
44 year calculated as prescribed in subsection A of this section.

1 D. The state educational system for committed youth shall not
2 receive twenty-five percent of the equalization assistance unless it is
3 accredited by the north central association of colleges and secondary
4 schools.

5 E. The state education fund for committed youth is established.
6 Fund monies shall be used for the purposes of the state educational system
7 for committed youth, and notwithstanding section 35-173, monies
8 appropriated to the fund shall not be transferred to or used for any
9 program that is not within the state educational system for committed
10 youth. State equalization assistance for the state educational system for
11 committed youth as determined in subsection A of this section, other state
12 and federal monies received from the department of education for the state
13 educational system for committed youth and monies appropriated for the
14 state educational system for committed youth, except monies appropriated
15 pursuant to subsection F of this section, shall be deposited in the fund.
16 The state treasurer shall maintain separate accounts for fund monies if
17 the separate accounts are required by statute or federal law.

18 F. The department of juvenile corrections may seek appropriations
19 for capital needs for land, buildings and improvements, including repairs
20 and maintenance, that are required to maintain the state educational
21 system for committed youth.

22 G. The state board of education shall apportion state aid and
23 deposit it, pursuant to sections 35-146 and 35-147, in the state education
24 fund for committed youth in an amount as determined by subsection A of
25 this section. The apportionments shall be as follows:

26 1. On July 1, one-third of the total amount to be apportioned
27 during the fiscal year.

28 2. On October 15, one-twelfth of the total amount to be apportioned
29 during the fiscal year.

30 3. On December 15, one-twelfth of the total amount to be
31 apportioned during the fiscal year.

32 4. On January 15, one-twelfth of the total amount to be apportioned
33 during the fiscal year.

34 5. On February 15, one-twelfth of the total amount to be
35 apportioned during the fiscal year.

36 6. On March 15, one-twelfth of the total amount to be apportioned
37 during the fiscal year.

38 7. On April 15, one-twelfth of the total amount to be apportioned
39 during the fiscal year.

40 8. On May 15, one-twelfth of the total amount to be apportioned
41 during the fiscal year.

42 9. On June 15, one-twelfth of the total amount to be apportioned
43 during the fiscal year.

1 H. In conjunction with the department of administration, the
2 superintendent of the state educational system for committed youth shall
3 establish procedures to account for the receipt and expenditure of state
4 education fund for committed youth monies by modifying the current
5 accounting system used for state agencies as necessary.

6 Sec. 16. Section 15-1372, Arizona Revised Statutes, is amended to
7 read:

8 15-1372. Equalization assistance for state educational system
9 for persons in the state department of
10 corrections; fund

11 A. The state department of corrections shall provide educational
12 services for pupils who are under the age of eighteen years and pupils
13 with disabilities who are age twenty-one or younger who are committed to
14 the state department of corrections. The department of education shall
15 provide technical assistance to the state department of corrections on
16 request and shall assist the state department of corrections in
17 establishing program and personnel standards.

18 B. The state education fund for correctional education is
19 established. Subject to legislative appropriation, fund monies shall be
20 used for the purposes of providing education to pupils as specified in
21 subsection A of this section. Notwithstanding section 35-173, monies
22 appropriated to the fund shall not be transferred to or used for any
23 program that is not directly related to the educational services required
24 by this section. State equalization assistance, other state and federal
25 monies received from the department of education for which the pupils in
26 correctional education programs qualify and monies appropriated for
27 correctional education except monies appropriated pursuant to subsection C
28 of this section shall be deposited in the fund. The state treasurer shall
29 maintain separate accounts for fund monies if the separate accounts are
30 required by statute or federal law.

31 C. The state department of corrections may seek appropriations for
32 capital needs for land, buildings and improvements, including repairs and
33 maintenance, that are required to maintain the educational services
34 required by this section.

35 D. The state board of education shall apportion state aid and
36 deposit it, pursuant to sections 35-146 and 35-147, in the state education
37 fund for correctional education in an amount as determined by subsection E
38 of this section. The apportionments are as follows:

39 1. On July 1, one-third of the total amount to be apportioned
40 during the fiscal year.

41 2. On October 15, one-twelfth of the total amount to be apportioned
42 during the fiscal year.

43 3. On December 15, one-twelfth of the total amount to be
44 apportioned during the fiscal year.

1 4. On January 15, one-twelfth of the total amount to be apportioned
2 during the fiscal year.

3 5. On February 15, one-twelfth of the total amount to be
4 apportioned during the fiscal year.

5 6. On March 15, one-twelfth of the total amount to be apportioned
6 during the fiscal year.

7 7. On April 15, one-twelfth of the total amount to be apportioned
8 during the fiscal year.

9 8. On May 15, one-twelfth of the total amount to be apportioned
10 during the fiscal year.

11 9. On June 15, one-twelfth of the total amount to be apportioned
12 during the fiscal year.

13 E. The director of the state department of corrections shall
14 calculate a base support level as prescribed in section 15-943 and
15 district additional assistance as prescribed in section 15-961 for the
16 educational services required by this section, except that:

17 1. Notwithstanding section 15-901, the student count shall be
18 determined using the following definitions:

19 (a) "Daily attendance" means days in which a pupil attends an
20 educational program for a minimum of one hundred eighty minutes, not
21 including meal and recess periods. Attendance for ninety or more minutes
22 but fewer than one hundred eighty minutes shall be counted as one-half
23 day's attendance.

24 (b) "Fractional student" means a pupil who is enrolled in an
25 educational program of ninety or more minutes but fewer than one hundred
26 eighty minutes per day, not including meal and recess periods. A
27 fractional student shall be counted as one-half of a full-time student.

28 (c) "Full-time student" means a pupil who is enrolled in an
29 educational program for a minimum of one hundred eighty minutes per day,
30 not including meal and recess periods.

31 (d) "Pupil with a disability" has the same meaning as child with a
32 disability prescribed in section 15-761.

33 2. All pupils shall be counted as if they were enrolled in grades
34 nine through twelve.

35 3. The teacher experience index is 1.00.

36 ~~4. The calculation for additional teacher compensation monies as
37 prescribed in section 15-952 is available.~~

38 ~~5.~~ 4. Section 15-943, paragraph 1 does not apply.

39 ~~6.~~ 5. The base support level and capital outlay amounts calculated
40 pursuant to this section shall be multiplied by 0.67.

41 ~~7.~~ 6. The school year shall consist of a period of not less than
42 two hundred eight days.

43 F. The director of the state department of corrections may use
44 section 15-855 in making the calculations prescribed in subsection E of
45 this section. The director of the state department of corrections and the

1 department of education shall prescribe procedures for calculating average
2 daily membership.

3 G. Equalization assistance for correctional education programs
4 provided for those pupils specified in subsection A of this section is
5 determined by adding the amount of the base support level and district
6 additional assistance for the budget year calculated as prescribed in
7 subsection E of this section.

8 H. The director of the state department of corrections shall keep
9 records and provide information as the department of education requires to
10 determine the appropriate amount of equalization assistance. Equalization
11 assistance shall be used to provide educational services in this section.

12 I. The department of education and the state department of
13 corrections shall enter into an intergovernmental agreement that
14 establishes the necessary accountability between the two departments
15 regarding the administrative and funding requirements contained in
16 subsections A and B of this section. The agreement shall:

17 1. Provide for appropriate education to all committed youths as
18 required by state and federal law.

19 2. Provide financial information to meet requirements for
20 equalization assistance.

21 3. Provide for appropriate pupil intake and assessment procedures.

22 4. Require pupil performance assessment and the reporting of
23 results.

24 Sec. 17. Title 15, chapter 19, article 1, Arizona Revised Statutes,
25 is amended by adding section 15-2405, to read:

26 15-2405. Arizona empowerment scholarship accounts parent
27 oversight committee; membership; duties

28 A. THE ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS PARENT OVERSIGHT
29 COMMITTEE IS ESTABLISHED CONSISTING OF SIX MEMBERS WHO ARE PARENTS OF
30 QUALIFIED STUDENTS WHO RECEIVE ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT
31 MONIES UNDER THIS CHAPTER. THE MEMBERS SHALL BE APPOINTED AS FOLLOWS:

32 1. TWO MEMBERS WHO ARE APPOINTED BY THE PRESIDENT OF THE SENATE.

33 2. TWO MEMBERS WHO ARE APPOINTED BY THE SPEAKER OF THE HOUSE OF
34 REPRESENTATIVES.

35 3. TWO MEMBERS WHO ARE APPOINTED BY THE GOVERNOR.

36 B. AT A MINIMUM, THE MEMBERS APPOINTED PURSUANT TO SUBSECTION A,
37 PARAGRAPHS 1 AND 2 OF THIS SECTION SHALL BE PARENTS OF QUALIFIED STUDENTS
38 WHO BOTH:

39 1. MEET ANY OF THE CRITERIA SPECIFIED IN SECTION 15-2401, PARAGRAPH
40 7, SUBDIVISION (a), ITEM (i), (ii) OR (iii) AS DETERMINED BY AN
41 INDEPENDENT THIRD PARTY PURSUANT TO SECTION 15-2403, SUBSECTION I.

42 2. USE MONIES DEPOSITED IN THE QUALIFIED STUDENT'S ARIZONA
43 EMPOWERMENT SCHOLARSHIP ACCOUNT FOR EXPENSES AS PRESCRIBED IN SECTION
44 15-2402, SUBSECTION B, PARAGRAPH 4, SUBDIVISION (c).

1 C. THE MEMBERS OF THE COMMITTEE SHALL ANNUALLY ELECT A CHAIRPERSON
2 FROM AMONG ITS MEMBERS.

3 D. THE COMMITTEE SHALL MEET AT LEAST ONCE EACH CALENDAR QUARTER. A
4 MAJORITY OF THE MEMBERSHIP CONSTITUTES A QUORUM FOR THE TRANSACTION OF
5 BUSINESS.

6 E. THE COMMITTEE SHALL COLLABORATE AND INTERACT WITH THE
7 DEPARTMENT, THE STATE BOARD OF EDUCATION, THE ATTORNEY GENERAL AND, AS
8 APPROPRIATE, THE AUDITOR GENERAL TO REVIEW ALL OF THE FOLLOWING:

9 1. THE IMPLEMENTATION OF POLICIES AND PROCEDURES RELATING TO THE
10 ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT PROGRAM UNDER THIS CHAPTER AND THE
11 PROGRAM'S EFFECTIVENESS.

12 2. THE CONCERNS OF PARENTS OF QUALIFIED STUDENTS WHO RECEIVE
13 ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT MONIES UNDER THIS CHAPTER.

14 3. THE WORK OF THE OMBUDSMAN-CITIZENS AIDE ON COMPLAINTS ASSOCIATED
15 WITH ADMINISTERING THE ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT PROGRAM.

16 F. A PARENT MAY NOT SERVE ON THE COMMITTEE IF ANY OF THE FOLLOWING
17 APPLIES:

18 1. THE PARENT IS AN EMPLOYEE OR THE RELATIVE OF AN EMPLOYEE OF THE
19 DEPARTMENT.

20 2. THE PARENT RECEIVES MONIES OR COMPENSATION FROM OR IS OTHERWISE
21 ASSOCIATED IN ANY MANNER WITH A LOBBYIST ORGANIZATION, A SCHOOL CHOICE
22 ADVOCACY GROUP OR A PRIVATE FINANCIAL MANAGEMENT FIRM THAT MANAGES ARIZONA
23 EMPOWERMENT SCHOLARSHIP ACCOUNTS PURSUANT TO SECTION 15-2403, SUBSECTION
24 A.

25 3. THE PARENT PROVIDES GOODS OR SERVICES TO QUALIFIED STUDENTS THAT
26 ARE PURCHASED PURSUANT TO SECTION 15-2402, SUBSECTION B, PARAGRAPH 4.

27 Sec. 18. Section 37-521, Arizona Revised Statutes, is amended to
28 read:

29 37-521. Permanent state school fund; composition; use

30 A. After any appropriation pursuant to section 37-527, the
31 permanent state school fund shall consist of:

32 1. The proceeds of all lands granted to ~~the~~ THIS state by the
33 United States for the support of common schools.

34 2. All property which accrues to ~~the~~ THIS state by escheat or
35 forfeiture.

36 3. All property donated for the benefit of the common schools,
37 unless the terms of the donation otherwise provide.

38 4. All unclaimed shares and dividends of any corporation
39 incorporated under the laws of this state.

40 5. The proceeds of sale of timber, mineral, gravel or other natural
41 products or property from school lands and state lands other than those
42 granted for specific purposes.

43 6. The residue of the lands granted for payment of the bonds and
44 accrued interest issued by Maricopa, Pima, Yavapai and Coconino counties,
45 after the purpose of the grant has been satisfied, and the five ~~per cent~~

1 PERCENT of the proceeds of sales of public lands lying within this state
2 sold by the United States subsequent to admission of this state into the
3 union, as granted by the enabling act.

4 B. The fund shall be and remain a perpetual fund and distributions
5 from the fund pursuant to article X, section 7, Constitution of Arizona,
6 plus monies derived from the rental of the lands and property, interest
7 and accrued rent for that year credited pursuant to section 37-295 and
8 interest paid on installment sales, shall be used as follows:

9 1. If there are outstanding state school facilities revenue bonds
10 pursuant to title 41, chapter 56, article 6, outstanding qualified zone
11 academy bonds pursuant to title 41, chapter 56, article 7 or outstanding
12 state school trust revenue bonds issued to correct existing deficiencies,
13 the state treasurer and the state land department shall annually transfer
14 to the state school facilities revenue bond debt service fund established
15 in section 41-5754, the state school improvement revenue bond debt service
16 fund established in section 41-5784 and the state school trust revenue
17 bond debt service fund the amount that is necessary to pay that fiscal
18 year's debt service on outstanding state school facilities revenue bonds,
19 qualified zone academy bonds and state school trust revenue bonds, before
20 transferring amounts for any other uses.

21 2. If there are no outstanding state school facilities revenue
22 bonds pursuant to title 41, chapter 56, article 6 or if the amount of
23 monies available under this subsection exceeds the amount required under
24 paragraph 1 of this subsection, the monies are subject to legislative
25 appropriation to the new school facilities fund established by section
26 41-5741.

27 3. If the amount of monies available under this subsection exceeds
28 the amount required under paragraphs 1 and 2 of this subsection, the
29 legislature may annually appropriate an amount to be used as provided in
30 section 15-971, subsection ~~H~~ G, except that the amount appropriated may
31 not exceed the amount appropriated from the permanent state school fund
32 and from the rent and interest paid on installment sales for this purpose
33 in fiscal year 2000-2001.

34 4. Notwithstanding paragraphs 1, 2 and 3 of this subsection, from
35 and after June 30, 2001, any expendable earnings under this subsection
36 that exceed the fiscal year 2000-2001 expendable earnings shall be
37 deposited in the classroom site fund established by section 15-977.

38 Sec. 19. Section 41-1276, Arizona Revised Statutes, as amended by
39 Laws 2022, chapter 171, section 1, is amended to read:

40 41-1276. Truth in taxation levy for equalization assistance
41 to school districts

42 A. On or before February 15 of each year, the joint legislative
43 budget committee shall compute and transmit the truth in taxation rates
44 for equalization assistance for school districts for the following fiscal
45 year to:

1 1. The chairperson of the house of representatives ways and means
2 committee and the senate finance committee, or their successor committees.

3 2. The chairperson of the appropriations committees of the senate
4 and the house of representatives, or their successor committees.

5 B. The truth in taxation rates consist of the qualifying tax rate
6 for a high school district or a common school district within a high
7 school district that does not offer instruction in high school subjects
8 pursuant to section 15-971, subsection B, paragraph 1, ~~AND~~ a qualifying
9 tax rate for a unified district, a common school district not within a
10 high school district or a common school district within a high school
11 district that offers instruction in high school subjects pursuant to
12 section 15-971, subsection B, paragraph 2 ~~and a state equalization~~
13 ~~assistance property tax rate pursuant to section 15-994~~ that will offset
14 the change in net assessed valuation of property that was subject to tax
15 in the prior year.

16 C. The joint legislative budget committee shall compute the truth
17 in taxation rates as follows:

18 1. Determine the statewide net assessed value for the preceding tax
19 year as provided in section 42-17151, subsection A, paragraph 3.

20 2. Determine the statewide net assessed value for the current tax
21 year, excluding the net assessed value of property that was not subject to
22 tax in the preceding year.

23 3. Divide the amount determined in paragraph 1 of this subsection
24 by the amount determined in paragraph 2 of this subsection.

25 4. Adjust the qualifying tax rates ~~and the state equalization~~
26 ~~assistance property tax rate~~ for the current fiscal year by the percentage
27 determined in paragraph 3 of this subsection in order to offset the change
28 in net assessed value.

29 D. Except as provided in subsections E and G of this section, the
30 qualifying tax rate for a high school district or a common school district
31 within a high school district that does not offer instruction in high
32 school subjects, ~~AND~~ the qualifying tax rate for a unified school
33 district, a common school district not within a high school district or a
34 common school district within a high school district that offers
35 instruction in high school subjects ~~and the state equalization assistance~~
36 ~~property tax rate~~ for the following fiscal year shall be the rate
37 determined by the joint legislative budget committee pursuant to
38 subsection C of this section. The committee shall transmit the rates to
39 the superintendent of public instruction and the county boards of
40 supervisors by March 15 of each year.

41 E. If the legislature proposes ~~either~~ qualifying tax rates ~~or a~~
42 ~~state equalization assistance property tax rate~~ that ~~exceeds~~ EXCEED the
43 truth in taxation rate:

44 1. The house of representatives ways and means committee and the
45 senate finance committee, or their successor committees, shall hold a

1 joint hearing on or before February 28 and publish a notice of a truth in
2 taxation hearing subject to the following requirements:

3 (a) The notice shall be published twice in a newspaper of general
4 circulation in this state that is published at the state capital. The
5 first publication shall be at least fourteen but not more than twenty days
6 before the date of the hearing. The second publication shall be at least
7 seven but not more than ten days before the date of the hearing.

8 (b) The notice shall be published in a location other than the
9 classified or legal advertising section of the newspaper.

10 (c) The notice shall be at least one-fourth page in size and shall
11 be surrounded by a solid black border at least one-eighth inch in width.

12 (d) The notice shall be in the following form, with the "truth in
13 taxation hearing – notice of tax increase" headline in at least
14 eighteen-point type:

15 Truth in Taxation Hearing
16 Notice of Tax Increase

17 In compliance with section 41-1276, Arizona Revised
18 Statutes, the state legislature is notifying property
19 taxpayers in Arizona of the legislature's intention to raise
20 the property tax levy over last year's level.

21 The proposed tax increase will cause the taxes on a
22 \$100,000 home to be \$(total proposed taxes including the tax
23 increase). Without the proposed tax increase, the total taxes
24 that would be owed on a \$100,000 home would have been
25 \$_____.

26 All interested citizens are invited to attend a public
27 hearing on the tax increase that is scheduled to be held
28 (date and time) at (location).

29 (e) For the purposes of computing the tax increase on a \$100,000
30 home as required by the notice, the joint meeting of the house of
31 representatives ways and means committee and the senate finance committee,
32 or their successor committees, shall consider the difference between the
33 truth in taxation rate and the proposed increased rate.

34 2. The joint meeting of the house of representatives ways and means
35 committee and the senate finance committee, or their successor committees,
36 shall consider any motion to recommend the proposed tax rates to the full
37 legislature by roll call vote.

38 F. In addition to publishing the truth in taxation notice under
39 subsection E, paragraph 1 of this section, the joint meeting of the house
40 of representatives ways and means committee and the senate finance
41 committee, or their successor committees, shall issue a press release
42 containing the truth in taxation notice.

43 G. Notwithstanding any other law, the legislature shall not adopt a
44 state budget that provides for ~~either~~ qualifying tax rates pursuant to
45 section 15-971 ~~or a state equalization assistance property tax rate~~

1 ~~pursuant to section 15-994~~ that ~~exceeds~~ EXCEED the truth in taxation rates
 2 computed pursuant to subsection A of this section unless the rates are
 3 adopted by a concurrent resolution approved by an affirmative roll call
 4 vote of two-thirds of the members of each house of the legislature before
 5 the legislature enacts the general appropriations bill. If the resolution
 6 is not approved by two-thirds of the members of each house of the
 7 legislature, the rates for the following fiscal year shall be the truth in
 8 taxation rates determined pursuant to subsection C of this section and
 9 shall be transmitted to the superintendent of public instruction and the
 10 county boards of supervisors.

11 H. Notwithstanding subsection C of this section and if approved by
 12 the qualified electors voting at a statewide general election, the
 13 legislature shall not set a qualifying tax rate that exceeds \$2.1265 for a
 14 common or high school district or \$4.253 for a unified school district.
 15 The legislature shall not set a county equalization assistance for
 16 education rate that exceeds \$0.5123.

17 I. Pursuant to subsection C of this section, the qualifying tax
 18 rate in tax year ~~2021~~ 2022 for a high school district or a common school
 19 district within a high school district that does not offer instruction in
 20 high school subjects as provided in section 15-447 is ~~\$1.7694~~ \$1.7133 and
 21 for a unified school district, a common school district not within a high
 22 school district or a common school district within a high school district
 23 that offers instruction in high school subjects as provided in section
 24 15-447 is ~~\$3.5388~~ \$3.4266. ~~The state equalization assistance property tax~~
 25 ~~rate in tax year 2021 is \$0.4263.~~

- 26 ~~J. The state equalization assistance property tax rate:~~
- 27 ~~1. In tax year 2022 is \$0.4128.~~
- 28 ~~2. In tax year 2023 is \$0.4009.~~
- 29 ~~3. In tax year 2024 is \$0.3909.~~
- 30 ~~4. In tax year 2025 is \$0.3824.~~
- 31 ~~5. In tax year 2026 is \$0.3295.~~
- 32 ~~6. In tax year 2027 is \$0.2871.~~

33 Sec. 20. Section 41-5731, Arizona Revised Statutes, is amended to
 34 read:

35 41-5731. Building renewal grant fund; rules; annual report;
 36 definitions

37 A. The building renewal grant fund is established consisting of
 38 monies appropriated to the fund by the legislature. The division shall
 39 administer the fund and distribute monies to school districts for the
 40 purpose of maintaining the adequacy of existing school facilities. Monies
 41 in the fund are exempt from the provisions of section 35-190 relating to
 42 lapsing of appropriations.

43 B. The division shall distribute monies from the building renewal
 44 grant fund based on grant requests from school districts to fund primary
 45 building renewal projects. Project requests shall be prioritized by the

1 division, with priority given to school districts that have provided
 2 routine preventive maintenance on the facility. A school district must
 3 submit a preventive maintenance plan to the division to be eligible to
 4 receive monies from the building renewal grant fund. The division shall
 5 approve only projects that will be completed within twelve months, unless
 6 similar projects on average take longer to complete. A grant issued under
 7 this section expires twelve months after the grant request is approved
 8 unless the division issues an extension, except that if the division
 9 approves a project and determines that similar projects on average take
 10 longer than twelve months to complete, the division shall extend the grant
 11 expiration date based on the average amount of time that similar projects
 12 take to complete. The division shall establish a process by which a
 13 school district may request an extension under this subsection. On
 14 expiration of a grant, a school district shall return any building renewal
 15 grant fund monies that the school district has not spent to the division
 16 for deposit in the building renewal grant fund. The division may spend
 17 monies from the fund for assessments to determine whether a grant from the
 18 fund is warranted under this section.

19 C. School districts that receive monies from the building renewal
 20 grant fund shall use these monies on projects for buildings or any part of
 21 a building in the division's database for any of the following:

- 22 1. Major renovations and repairs to a building that is used for
- 23 student instruction or other academic purposes.
- 24 2. Upgrading systems and areas that will maintain or extend the
- 25 useful life of the building.
- 26 3. Infrastructure costs.

27 D. Monies received from the fund shall not be used for any of the
 28 following purposes:

- 29 1. New construction.
- 30 2. Remodeling interior space for aesthetic or preferential reasons.
- 31 3. Exterior beautification.
- 32 4. Demolition.
- 33 5. Routine preventive maintenance.
- 34 6. Any project in a building, or part of a building, that is being
- 35 leased to another entity.

36 E. Accommodation schools are not eligible for monies from the
 37 building renewal grant fund.

38 F. If the division or a court of competent jurisdiction determines
 39 that a school district received monies from the building renewal grant
 40 fund that must be reimbursed to the division due to legal action
 41 associated with improper construction by a hired contractor, the school
 42 district shall reimburse the division an agreed-on amount for deposit into
 43 the building renewal grant fund.

44 G. The division shall categorize each project that is eligible for
 45 monies from the building renewal grant fund as either critical or

1 noncritical. The division shall adopt policies and procedures to
2 prioritize critical projects and to designate critical projects as
3 projects that immediately impact student safety or building closures or
4 that result in operational disruptions. Critical projects have priority
5 over any previously approved noncritical projects.

6 H. If the division determines that sufficient monies are not
7 available for a noncritical project that the division has approved, the
8 division shall notify the school district that submitted the project
9 request that monies will be distributed from the building renewal grant
10 fund for the project only if the legislature appropriates sufficient
11 monies. If sufficient monies are not available in the fiscal year in
12 which the project is awarded for a noncritical project, the noncritical
13 project does not receive priority in the next fiscal year.

14 I. Building renewal grants pursuant to this section shall be used
15 only for projects that serve an academic purpose.

16 J. The division shall do both of the following:

17 1. Implement policies and procedures to require a school district
18 to report the preventive maintenance activities completed during the
19 previous twelve months for the facility for which the monies are being
20 requested.

21 2. Submit a monthly report to the school facilities oversight board
22 that details how monies from the building renewal grant fund have been
23 distributed.

24 K. In addition to establishing a project eligibility assessment
25 under section 41-5702, subsection A, paragraph 5, subdivision (b), the
26 division shall adopt rules regarding both of the following:

27 1. The approval of building renewal grants pursuant to this
28 section.

29 2. Time frames for the division regarding all of the following with
30 respect to this section:

31 (a) Approving or denying grant requests for critical projects.

32 (b) Notifying an applicant if the applicant's application is
33 incomplete.

34 (c) Providing regular updates to applicants regarding completed
35 applications.

36 (d) Distributing monies from the building renewal grant fund.

37 L. The board shall review all policies and procedures that the
38 division develops to administer this section.

39 M. The division may spend monies from the fund for assessments to
40 determine if a grant from the fund is warranted under this section.

41 N. ON OR BEFORE JUNE 30 OF EACH YEAR, THE DIVISION SHALL SUBMIT A
42 REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE AND THE GOVERNOR'S OFFICE
43 OF STRATEGIC PLANNING AND BUDGETING ON ANY UNOBLIGATED MONIES IN THE
44 BUILDING RENEWAL GRANT FUND.

1 ~~N.~~ 0. For the purposes of this section:

2 1. "Primary building renewal projects" means projects that are
3 necessary for buildings owned by school districts that are required to
4 meet the minimum adequacy standards for student capacity and that fall
5 below the minimum school facility adequacy guidelines, as adopted by the
6 board pursuant to section 41-5711, for school districts that have provided
7 routine preventive maintenance to the school facility.

8 2. "Routine preventive maintenance" means services that are
9 performed on a regular schedule at intervals ranging from four times a
10 year to once every three years, or on the schedule of services recommended
11 by the manufacturer of the specific building system or equipment, and that
12 are intended to extend the useful life of a building system and reduce the
13 need for major repairs.

14 3. "Student capacity" has the same meaning prescribed in section
15 41-5711.

16 Sec. 21. Section 42-17051, Arizona Revised Statutes, is amended to
17 read:

18 42-17051. Limit on county, municipal and community college
19 primary property tax levy

20 A. In addition to any other limitation that may be imposed, a
21 county, charter county, city, charter city, town or community college
22 district shall not levy primary property taxes in any year in excess of an
23 aggregate amount computed as follows:

24 1. Determine the maximum allowable primary property tax levy limit
25 for the jurisdiction for the preceding tax year.

26 2. Multiply the amount determined in paragraph 1 **OF THIS SUBSECTION**
27 by 1.02.

28 3. Determine the assessed value for the current tax year of all
29 property in the political subdivision that was subject to tax in the
30 preceding tax year.

31 4. Divide the dollar amount determined in paragraph 3 **OF THIS**
32 **SUBSECTION** by one hundred and then divide the dollar amount determined in
33 paragraph 2 **OF THIS SUBSECTION** by the resulting quotient. The result,
34 rounded to four decimal places, is the maximum allowable tax rate for the
35 political subdivision.

36 5. Determine the finally equalized valuation of all property, less
37 exemptions, appearing on the tax roll for the current tax year including
38 an estimate of the personal property tax roll determined pursuant to
39 section 42-17053.

40 6. Divide the dollar amount determined in paragraph 5 **OF THIS**
41 **SUBSECTION** by one hundred and then multiply the resulting quotient by the
42 rate determined in paragraph 4 **OF THIS SUBSECTION**. The resulting product
43 is the maximum allowable primary property tax levy limit for the current
44 year for all political subdivisions.

1 7. The allowable levy of primary property taxes for the current
2 fiscal year for all political subdivisions is the maximum allowable
3 primary property tax levy limit less any amounts required to reduce the
4 levy pursuant to subsections B and C of this section.

5 B. Any monies that a political subdivision received from primary
6 property taxation in excess of the sum of the amount of taxes collectible
7 pursuant to section ~~42-15054~~ 42-15053, SUBSECTION G, PARAGRAPH 2 and the
8 allowable levy determined under subsection A of this section shall be
9 maintained in a separate fund and used to reduce the primary property tax
10 levy in the following year. Monies that are received and that are
11 attributable to the payment of delinquent taxes that were properly
12 assessed in prior years shall not be applied to reduce the levy in the
13 following year.

14 C. If, pursuant to section 41-1279.07, the auditor general
15 determines that in any fiscal year a county has exceeded its expenditure
16 limitation, the allowable levy of primary property taxes of the county
17 determined under subsection A of this section shall be reduced in the
18 fiscal year following the auditor general's hearing by the amount of the
19 expenditures that exceeded the county's expenditure limitation.

20 D. The limitations prescribed by this section do not apply to
21 levies made pursuant to ~~section 15-994 or~~ article 5 of this chapter.

22 E. The levy limitation for a political subdivision is considered to
23 be increased each year to the maximum permissible limit under subsection A
24 of this section regardless of whether the county, city, town or district
25 actually levies taxes in any year up to the maximum permissible amount.

26 F. For purposes of determining a county's levy limit under this
27 article, remote municipal property, as defined in section 42-15251, is
28 considered to be taxable property in the county.

29 Sec. 22. Results-based funding; allocation formula; fiscal
30 year 2022-2023

31 Notwithstanding section 15-249.08, subsection B, paragraph 2,
32 Arizona Revised Statutes, for fiscal year 2022-2023, the department of
33 education shall distribute monies from the results-based funding fund
34 established by section 15-249.08, Arizona Revised Statutes, as follows:

35 1. Each school operated by a school district or charter holder
36 shall receive \$225 per student count from the fund if both of the
37 following apply:

38 (a) At the time the test prescribed in subdivision (b) of this
39 paragraph was administered, fewer than sixty percent of the students who
40 were enrolled in the school met the eligibility requirements established
41 under the national school lunch and child nutrition acts (42 United States
42 Code sections 1751 through 1793) for free or reduced-price lunches, or an
43 equivalent measure recognized for participating in the federal free and
44 reduced-price lunch program and other school programs dependent on a

1 poverty measure, including the community eligibility provision for which
2 free and reduced-price lunch data is not available.

3 (b) In results achieved during the spring of 2021, the school
4 performed in the top thirteen percent of all schools statewide as
5 demonstrated by the average percentage of students who obtained a passing
6 score on the mathematics portions of the statewide assessment and the
7 average percentage of students who obtained a passing score on the
8 language arts portions of the statewide assessment.

9 2. Each school operated by a school district or charter holder
10 shall receive \$400 per student count from the fund if both of the
11 following apply:

12 (a) At the time the test prescribed in subdivision (b) of this
13 paragraph was administered, sixty percent or more of the students who were
14 enrolled in the school met the eligibility requirements established under
15 the national school lunch and child nutrition acts (42 United States Code
16 sections 1751 through 1793) for free or reduced-price lunches, or an
17 equivalent measure recognized for participating in the federal free and
18 reduced-price lunch program and other school programs dependent on a
19 poverty measure, including the community eligibility provision for which
20 free and reduced-price lunch data is not available.

21 (b) In results achieved during the spring of 2021, the school
22 performed in the top thirteen percent of schools pursuant to subdivision
23 (a) of this paragraph, as demonstrated by the average percentage of those
24 students who obtained a passing score on the mathematics portions of the
25 statewide assessment and the average percentage of students who obtained a
26 passing score on the language arts portions of the statewide assessment.

27 3. Each school operated by a school district or charter holder
28 shall receive \$225 per student count from the fund if both of the
29 following apply:

30 (a) At the time the test prescribed in subdivision (b) of this
31 paragraph was administered, sixty percent or more of the students who were
32 enrolled in the school met the eligibility requirements established under
33 the national school lunch and child nutrition acts (42 United States Code
34 sections 1751 through 1793) for free or reduced-price lunches, or an
35 equivalent measure recognized for participating in the federal free and
36 reduced-price lunch program and other school programs dependent on a
37 poverty measure, including the community eligibility provision for which
38 free and reduced-price lunch data is not available.

39 (b) In results achieved during the spring of 2021, the school
40 performed in the top twenty-seven percent but not in the top thirteen
41 percent of schools pursuant to subdivision (a) of this paragraph, as
42 demonstrated by the average percentage of those students who obtained a
43 passing score on the mathematics portions of the statewide assessment and
44 the average percentage of students who obtained a passing score on the
45 language arts portions of the statewide assessment.

1 4. Each alternative high school shall receive \$400 per student
2 count from the fund if in the results achieved during testing conducted in
3 the spring of 2021 the school performed in the top twenty-seven percent of
4 schools identified pursuant to paragraph 3, subdivision (a) of this
5 section, as demonstrated by the average percentage of those students who
6 obtained a passing score on the mathematics portions of the statewide
7 assessment and the average percentage of students who obtained a passing
8 score on the language arts portions of the statewide assessment. An
9 alternative high school is eligible for funding under this paragraph only
10 if it reports the average percentage of students who obtained a passing
11 score on both the mathematics portions of the statewide assessment and the
12 language arts portions of the statewide assessment during testing
13 conducted in the spring of 2021.

14 Sec. 23. Intent

15 The governor and the legislature intend that school districts
16 increase the total percentage of classroom spending over the previous
17 year's percentages in the combined categories of instruction, student
18 support and instructional support as prescribed by the auditor general.