

REFERENCE TITLE: full-day kindergarten students; ADM

State of Arizona
House of Representatives
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HB 2495

Introduced by
Representatives Sandoval: Abeytia, Aguilar, Austin, Blattman, Carter P,
Cavero, Contreras L, Contreras P, Garcia, Hernandez L, Liguori, Luna-
Nájera, Márquez, Mathis, Peshlakai, Simacek, Stahl Hamilton, Tsosie,
Villegas, Volk; Senators Kuby, Miranda, Ortiz

AN ACT

AMENDING SECTIONS 15-808 AND 15-901, ARIZONA REVISED STATUTES; RELATING TO
SCHOOL FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-808, Arizona Revised Statutes, is amended to
3 read:

4 15-808. Arizona online instruction; reports; definitions

5 A. Arizona online instruction shall be instituted to meet the needs
6 of pupils in the information age. The state board of education shall
7 select district public schools and state-approved charter authorizers
8 shall sponsor charter schools to be online course providers or online
9 schools. The state board of education and state-approved charter
10 authorizers shall develop standards for the approval of online course
11 providers and online schools based on the following criteria:

12 1. The depth and breadth of curriculum choices.

13 2. The variety of educational methodologies employed by the school
14 and the means of addressing the unique needs and learning styles of
15 targeted pupil populations, including computer-assisted learning systems,
16 virtual classrooms, virtual laboratories, electronic field trips, ~~e-mail~~
17 EMAIL, virtual tutoring, online help desk, group chat sessions and
18 noncomputer-based activities performed under the direction of a
19 certificated teacher.

20 3. The availability of an intranet or private network to safeguard
21 pupils against predatory and pornographic elements of the internet.

22 4. The availability of filtered research access to the internet.

23 5. The availability of private individual ~~e-mail~~ EMAIL between
24 pupils, teachers, administrators and parents in order to protect the
25 confidentiality of pupil records and information.

26 6. The availability of faculty members who are experienced with
27 computer networks, the internet and computer animation.

28 7. The extent to which the school intends to develop partnerships
29 with universities, community colleges and private businesses.

30 8. The services offered to populations with developmental
31 disabilities.

32 9. The grade levels that will be served.

33 B. Each new school that provides online instruction shall provide
34 online instruction on a probationary status. After a new school that
35 provides online instruction has clearly demonstrated the academic
36 integrity of its instruction through the actual improvement of the
37 academic performance of its students, the school may apply to be removed
38 from probationary status. The state board of education or the
39 state-approved charter authorizer that sponsored the charter school shall
40 remove from Arizona online instruction any probationary school that fails
41 to clearly demonstrate improvement in academic performance within three
42 years measured against goals in the approved application and the state's
43 accountability system. All pupils who participate in Arizona online
44 instruction shall reside in this state. Pupils who participate in Arizona
45 online instruction are subject to the testing requirements prescribed in

1 chapter 7, article 3 of this title. On enrollment, the school shall
2 notify the parents or guardians of the pupil of the state testing
3 requirements. If a pupil fails to comply with the testing requirements
4 and the school administers the tests pursuant to this subsection to less
5 than ninety-five percent of the pupils in Arizona online instruction, the
6 pupil shall not be allowed to participate in Arizona online instruction.

7 C. The state board of education and state-approved charter
8 authorizers shall develop annual reporting mechanisms for schools that
9 participate in Arizona online instruction.

10 D. The department of education shall compile the information
11 submitted in the annual reports by schools participating in Arizona online
12 instruction. The department of education shall submit the compiled report
13 to the governor, the speaker of the house of representatives and the
14 president of the senate by November 15 of each year.

15 E. Each school selected for Arizona online instruction shall ensure
16 that a daily log is maintained for each pupil who participates in Arizona
17 online instruction. The daily log shall describe the amount of time spent
18 by each pupil participating in Arizona online instruction pursuant to this
19 section on academic tasks. The daily log shall be used by the school
20 district or charter school to qualify the pupils who participate in
21 Arizona online instruction in the school's average daily attendance
22 calculations pursuant to subsection F of this section.

23 F. If a pupil is enrolled in a school district or charter school
24 and also participates in Arizona online instruction, the sum of the
25 average daily membership, which includes enrollment as prescribed in
26 section 15-901, subsection A, paragraph 1, subdivisions (a) and (b) and
27 daily attendance as prescribed in section 15-901, subsection A, paragraph
28 5, for that pupil in the school district or charter school and in Arizona
29 online instruction shall not exceed 1.0. If the pupil is enrolled in a
30 school district or a charter school and also participates in Arizona
31 online instruction and the sum of the daily membership or daily attendance
32 for that pupil is greater than 1.0, the sum shall be reduced to 1.0 and
33 shall be apportioned between the school district, unless the school
34 district is a career technical education district subject to the
35 apportionment requirements of section 15-393, or charter school and
36 Arizona online instruction based on the percentage of total time that the
37 pupil is enrolled or in attendance in the school district or charter
38 school and Arizona online instruction. The uniform system of financial
39 records shall include guidelines for the apportionment of the pupil
40 enrollment and attendance as provided in this subsection. Pupils in
41 Arizona online instruction do not incur absences for purposes of this
42 subsection and may generate an average daily attendance of 1.0 for
43 attendance hours during any hour of the day, during any day of the week
44 and at any time between July 1 and June 30 of each fiscal year. For
45 kindergarten programs and grades one through eight, average daily

1 membership shall be calculated by dividing the instructional hours as
2 reported in the daily log required in subsection E of this section by the
3 applicable hourly requirements prescribed in section 15-901. For grades
4 nine through twelve, average daily membership shall be calculated by
5 dividing the instructional hours as reported in the daily log required in
6 subsection E of this section by nine hundred. The average daily
7 membership of a pupil who participates in online instruction shall not
8 exceed 1.0. Average daily membership shall not be calculated on the one
9 hundredth day of instruction for the purposes of this section. Funding
10 shall be determined as follows:

11 1. A pupil who is enrolled ~~full-time~~ FULL TIME in Arizona online
12 instruction shall be funded for online instruction at ninety-five percent
13 of the base support level that would be calculated for that pupil if that
14 pupil were enrolled as a full-time student in a school district or charter
15 school that does not participate in Arizona online instruction. Charter
16 additional assistance and district additional assistance shall be
17 calculated in the same manner they would be calculated if the student were
18 enrolled in a district or charter school that does not participate in
19 Arizona online instruction.

20 2. A pupil who is enrolled ~~part-time~~ PART TIME in Arizona online
21 instruction shall be funded for online instruction at eighty-five percent
22 of the base support level that would be calculated for that pupil if that
23 pupil were enrolled as a part-time student in a school district or charter
24 school that does not participate in Arizona online instruction. Charter
25 additional assistance and district additional assistance shall be
26 calculated in the same manner they would be calculated if the student were
27 enrolled in a district or charter school that does not participate in
28 Arizona online instruction.

29 G. If the academic achievement of a pupil declines while the pupil
30 is participating in Arizona online instruction, the pupil's parents, the
31 pupil's teachers and the principal or head teacher of the school shall
32 confer to evaluate whether the pupil should be allowed to continue to
33 participate in Arizona online instruction.

34 H. To ensure the academic integrity of pupils who participate in
35 online instruction, Arizona online instruction shall include multiple
36 diverse assessment measures and the proctored administration of required
37 state standardized tests.

38 I. A school district or charter school may not charge a fee to a
39 pupil who takes an examination in a particular course to obtain academic
40 credit, pursuant to section 15-701.01, subsection I, from the school
41 district or charter school if the academic credit for a course was
42 previously earned in an Arizona online instruction course or at any public
43 school in this state. Any test administered pursuant to this subsection
44 shall be an assessment that is aligned to the course-relevant state
45 academic standards.

1 J. For the purposes of this section:

2 1. "Full-time student" means:

3 (a) A student who is at least five years of age before September 1
4 of a school year and who is enrolled EITHER:

5 (i) In a school HALF-DAY kindergarten program that meets at least
6 three hundred forty-six hours during the school year.

7 (ii) IN A SCHOOL FULL-DAY KINDERGARTEN PROGRAM THAT MEETS AT LEAST
8 SEVEN HUNDRED TWELVE HOURS DURING THE SCHOOL YEAR.

9 (b) A student who is at least six years of age before September 1
10 of a school year, who has not graduated from the highest grade taught in
11 the school and who is regularly enrolled in a course of study required by
12 the state board of education. For first, second and third grade students,
13 the instructional program shall meet at least seven hundred twelve hours
14 DURING THE SCHOOL YEAR. For fourth, fifth and sixth grade students, the
15 instructional program shall meet at least eight hundred ninety hours
16 during the school year.

17 (c) Seventh and eighth grade students or ungraded students who are
18 at least twelve, but under fourteen, years of age on or before September 1
19 and who are enrolled in an instructional program of courses that meets at
20 least one thousand sixty-eight hours during the school year.

21 (d) For high schools, a student who has not graduated from the
22 highest grade taught in the school district, or an ungraded student who is
23 at least fourteen years of age on or before September 1, and who is
24 enrolled in at least four courses throughout the year that meet at least
25 nine hundred hours during the school year. A full-time student shall not
26 be counted more than once for computation of average daily membership.

27 2. "Online course provider" means a school other than an online
28 school that is selected by the state board of education or a
29 state-approved charter authorizer to participate in Arizona online
30 instruction pursuant to this section and that provides at least one online
31 academic course that is approved by the state board of education.

32 3. "Online school" means a school that provides at least four
33 online academic courses or one or more online courses for the equivalent
34 of at least five hours each day for one hundred eighty school days and
35 that is a charter school that is sponsored by a state-approved charter
36 authorizer or a district public school that is selected by the state board
37 of education to participate in Arizona online instruction.

38 4. "Part-time student" means:

39 (a) Any student who is enrolled in a program that does not meet the
40 definition in paragraph 1 of this subsection shall be funded at
41 eighty-five percent of the base support level that would be calculated for
42 that pupil if that pupil were enrolled as a part-time student in a school
43 district or charter school that does not participate in Arizona online
44 instruction.

(b) A part-time student of seventy-five percent average daily membership shall be enrolled in at least three subjects throughout the year that offer for first, second and third grade students at least five hundred thirty-four instructional hours in a school year and for fourth, fifth and sixth grade students at least six hundred sixty-eight instructional hours in a school year. A part-time student of fifty percent average daily membership shall be enrolled in at least two subjects throughout the year that offer for first, second and third grade students at least three hundred fifty-six instructional hours in a school year and for fourth, fifth and sixth grade students at least four hundred forty-five instructional hours in a school year. A part-time student of twenty-five percent average daily membership shall be enrolled in at least one subject throughout the year that offers for first, second and third grade students at least one hundred seventy-eight instructional hours in a school year and for fourth, fifth and sixth grade students at least two hundred twenty-three instructional hours in a school year.

(c) For seventh and eighth grade students, a part-time student of seventy-five percent average daily membership shall be enrolled in at least three subjects throughout the year that offer at least eight hundred one instructional hours in a school year. A part-time student of fifty percent average daily membership shall be enrolled in at least two subjects throughout the year that offer at least five hundred thirty-four instructional hours in a school year. A part-time student of twenty-five percent average daily membership shall be enrolled in at least one subject throughout the year that offers at least two hundred sixty-seven instructional hours in a school year.

(d) For high school students, a part-time student of seventy-five percent average daily membership shall be enrolled in at least three subjects throughout the year that offer at least six hundred seventy-five instructional hours in a school year. A part-time student of fifty percent average daily membership shall be enrolled in at least two subjects throughout the year that offer at least four hundred fifty instructional hours in a school year. A part-time student of twenty-five percent average daily membership shall be enrolled in at least one subject throughout the year that offers at least two hundred twenty-five instructional hours in a school year.

5. "State-approved charter authorizer" means any charter school sponsor authorized pursuant to section 15-183.

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

15-901. Definitions

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

1. "Average daily membership" means the total enrollment of fractional students and full-time students, minus withdrawals, of each school day through the first one hundred days or two hundred days in

1 session, as applicable, for the current year. For the purposes of this
2 paragraph, "withdrawals" means students who are formally withdrawn from
3 schools or students who are absent for ten consecutive school days, except
4 for excused absences identified by the department of education. For
5 computation purposes, a student who is absent for nine or fewer
6 consecutive school days, including the last day of the school year, is not
7 a withdrawal and may not be subtracted from the total enrollment of
8 fractional students and full-time students. For the purposes of this
9 section, school districts and charter schools shall report student absence
10 data to the department of education at least once every sixty days in
11 session. For computation purposes, the effective date of withdrawal shall
12 be retroactive to the last day of actual attendance of the student or
13 excused absence. A school district or charter school may satisfy any of
14 the time and hours requirements prescribed in this subsection in any
15 manner prescribed in the school district's or charter school's
16 instructional time model adopted under section 15-901.08.

17 (a) "Fractional student" means:

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

38 (ii) For high schools, a part-time student who is enrolled in less
39 than four subjects that count toward graduation as defined by the state
40 board of education, each of which, if taught each school day for the
41 minimum number of days required in a school year, would meet a minimum of
42 one hundred twenty-three hours a year, or the equivalent, in a recognized
43 high school. The average daily membership of a part-time high school
44 student shall be 0.75 if the student is enrolled in an instructional
45 program of three subjects that meet at least five hundred forty hours for

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

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

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

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

1 school year, or the equivalent instructional hours prescribed in this
2 section. The hours in which a student is scheduled to attend a high
3 school during the regular school day shall be included in the calculation
4 of the average daily membership for that student.

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

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

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

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

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

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

42 2. "Budget year" means the fiscal year for which the school
43 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

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

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

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

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

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

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

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

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

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

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

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

(b) The total number of miles driven daily 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 student from the place of the student's residence to a school transportation pickup point or to the school of attendance and from the school transportation scheduled return point or from the school of attendance to the student's residence. Daily route mileage includes the total number of miles necessary to drive to transport eligible students from and to their residence as provided in this paragraph.

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

8. "Eligible students" means:

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

(i) For common school students, whose place of actual residence within the school district is more than one mile from the school facility of attendance or students who are admitted pursuant to section 15-816.01 and who meet the economic eligibility requirements established under the national school lunch and child nutrition acts (42 United States Code 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.

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

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

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

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

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

12 1. "Base" means the revenue level per student count specified by
13 the legislature.

14 2. "Base level" means the following amounts plus the percentage
15 increase to the base level as provided in section 15-902.04:

16 (a) For fiscal year 2022-2023, \$4,775.27.

17 (b) For fiscal year 2023-2024, \$4,914.71.

18 (c) For fiscal year 2024-2025, \$5,013.00.

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

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

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

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

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

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

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

10. "FRPL" means students who meet the eligibility requirements established under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1793) for free or reduced-price lunches, or an equivalent measure recognized for participating in the federal free and reduced-price lunch program and other school programs dependent on a poverty measure, including the community eligibility provision for which free and reduced-price lunch data is not available.

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

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

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

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

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

14. "Group B" means educational improvements for pupils in kindergarten programs and grades one through three, educational programs for autism, a hearing impairment, a moderate intellectual disability, multiple disabilities, multiple disabilities with severe sensory impairment, orthopedic impairments, preschool severe delay, a severe intellectual disability and emotional disabilities for school age pupils enrolled in private special education programs or in school district programs for children with severe disabilities or visual impairment, English learners enrolled in a program to promote English language proficiency pursuant to section 15-752 and students who meet the eligibility requirements established under the national school lunch and child nutrition acts (42 United States Code sections 1751 through 1793) for free or reduced-price lunches, or an equivalent measure recognized for participating in the federal free and reduced-price lunch program and other school programs dependent on a poverty measure, including the community eligibility provision for which free and reduced-price lunch data is not available.

15. "HI" means programs for pupils with hearing impairment.

16. "Homebound" or "hospitalized" means a pupil who is capable of profiting from academic instruction but is unable to attend school due to illness, disease, accident or other health conditions, who has been examined by a competent medical doctor and who is certified by that doctor

1 as being unable to attend regular classes for a period of not less than
 2 three school months or a pupil who is capable of profiting from academic
 3 instruction but is unable to attend school regularly due to chronic or
 4 acute health problems, who has been examined by a competent medical doctor
 5 and who is certified by that doctor as being unable to attend regular
 6 classes for intermittent periods of time totaling three school months
 7 during a school year. The medical certification shall state the general
 8 medical condition, such as illness, disease or chronic health condition,
 9 that is the reason that the pupil is unable to attend school. Homebound
 10 or hospitalized includes a student who is unable to attend school for a
 11 period of less than three months due to a pregnancy if a competent medical
 12 doctor, after an examination, certifies that the student is unable to
 13 attend regular classes due to risk to the pregnancy or to the student's
 14 health.

15 17. "K-3" means kindergarten programs and grades one through three.

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

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

20 20. "MD-SC, A-SC and SID-SC" means self-contained programs for
 21 pupils with multiple disabilities, autism and severe intellectual
 22 disability.

23 21. "MD-SSI" means a program for pupils with multiple disabilities
 24 with severe sensory impairment.

25 22. "MOID" means programs for pupils with moderate intellectual
 26 disability.

27 23. "OI-R" means a resource program for pupils with orthopedic
 28 impairments.

29 24. "OI-SC" means a self-contained program for pupils with
 30 orthopedic impairments.

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

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

35 27. "Qualifying tax rate" means the qualifying tax rate specified
 36 in section 15-971 applied to the assessed valuation used for primary
 37 property taxes.

38 28. "Small isolated school district" means a school district that
 39 meets all of the following:

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

42 (b) Contains no school that is fewer than thirty miles by the most
 43 reasonable route from another school, or, if road conditions and terrain
 44 make the driving slow or hazardous, fifteen miles from another school that

1 teaches one or more of the same grades and is operated by another school
2 district in this state.

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

5 29. "Small school district" means a school district that meets all
6 of the following:

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

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

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

14 30. "Transportation revenue control limit" means the transportation
15 revenue control limit computed as prescribed in section 15-946.

16 31. "Transportation support level" means the support level for
17 pupil transportation operating expenses as provided in section 15-945.

18 32. "VI" means programs for pupils with visual impairments.