

PROPOSED
SENATE AMENDMENTS TO H.B. 2381
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-393, Arizona Revised Statutes, is amended to
3 read:

4 15-393. Career technical education boards; report;
5 definitions

6 A. The management and control of a career technical education
7 district are vested in the career technical education ~~district governing~~
8 board, including the content and quality of the courses offered by the
9 district, the quality of teachers who provide instruction on behalf of the
10 district, the salaries of teachers who provide instruction on behalf of
11 the district, THE FUNDING FOR THE DISTRICT'S AVERAGE DAILY MEMBERSHIP and
12 the reimbursement of other entities for the facilities used by the
13 district. This section does not restrict a school district from offering
14 any career and technical education course that does not qualify for
15 funding as a career technical education course or career technical
16 education district program. Unless the governing boards of the school
17 districts participating in the formation of the career technical education
18 district vote to implement an alternative election system as provided in
19 subsection B of this section, the career technical education board
20 consists of five members elected from five single member districts formed
21 within the career technical education district. The single member
22 district election system shall be submitted as part of the plan for the
23 career technical education district pursuant to section 15-392 and shall
24 be established in the plan as follows:

25 1. The governing boards of the school districts participating in
26 the formation of the career technical education district shall define the
27 boundaries of the single member districts so that the single member
28 districts are as nearly equal in population as is practicable, except that
29 if the career technical education district lies in part in each of two or
30 more counties, at least one single member district may be entirely within
31 each of the counties comprising the career technical education district if
32 this district design is consistent with the obligation to equalize the
33 population among single member districts.

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

37 3. A person who is a registered voter of this state and who has
38 been a resident of the single member district for at least one year
39 immediately preceding the date of the election is eligible for election to
40 the office of career technical education board member from the single

1 member district. The terms of office of the members of the career
2 technical education board shall be as prescribed in section 15-427,
3 subsection B. An employee of a career technical education district or the
4 spouse of an employee shall not hold membership on a governing board of a
5 career technical education district by which the employee is employed.
6 A member of one school district governing board or career technical
7 education ~~district governing~~ board is ineligible to be a candidate for
8 nomination or election to or serve simultaneously as a member of any other
9 governing board, except that a member of a governing board may be a
10 candidate for nomination or election for any other governing board if the
11 member is serving in the last year of a term of office. A member of a
12 governing board shall resign the member's seat on the governing board
13 before becoming a candidate for nomination or election to the governing
14 board of any other school district or career technical education district,
15 unless the member of the governing board is serving in the last year of a
16 term of office. Members of a career technical education ~~district~~
17 ~~governing~~ board are subject to the conflict of interest requirements
18 prescribed in section 38-503.

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

21 B. The governing boards of the school districts participating in
22 the formation of the career technical education district may vote to
23 implement any other alternative election system for the election of career
24 technical education ~~district~~ board members. If an alternative election
25 system is selected, it shall be submitted as part of the plan for the
26 career technical education district pursuant to section 15-392, and the
27 implementation of the system shall be as approved by the United States
28 justice department.

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

- 31 1. Chapter 1, articles 1, 2, 3, 4, 5 and 6.
- 32 2. Sections 15-208, 15-210, 15-213 and 15-234.
- 33 3. Articles 2, 3 and 5 of this chapter.
- 34 4. Section 15-361.
- 35 5. Chapter 4, articles 1, 2 and 5.
- 36 6. Chapter 5, articles 1 and 3.
- 37 7. Sections 15-701.01, 15-722, 15-723, 15-724, 15-727, 15-728,
38 15-729 and 15-730.
- 39 8. Chapter 7, article 5.
- 40 9. Chapter 8, articles 1, 3 and 4.
- 41 10. Sections 15-828 and 15-829.
- 42 11. Chapter 9, article 1, article 6, except for section 15-995, and
43 article 7.
- 44 12. Sections 15-941, 15-943.01, 15-953 and 15-973.
- 45 13. Sections 15-1101 and 15-1104.
- 46 14. Chapter 10, articles 2, 3, 4 and 8.

47 D. Notwithstanding subsection C of this section, the following
48 apply to a career technical education district:

1 1. A career technical education district may issue bonds for the
2 purposes specified in section 15-1021 and in chapter 4, article 5 of this
3 title to an amount in the aggregate, including the existing indebtedness,
4 not exceeding one percent of the net assessed value of the full cash value
5 of the property within the career technical education district. For the
6 purposes of this paragraph, "full cash value" and "net assessed value"
7 have the same meanings prescribed in section 42-11001.

8 2. The number of governing board members for a career technical
9 education district shall be as prescribed in subsection A of this section.

10 3. The student count for the first year of operation of a career
11 technical education district as provided in this article shall be
12 determined as follows:

13 (a) Determine the estimated student count for career technical
14 education district classes that will operate in the first year of
15 operation. This estimate shall be based on actual registration of pupils
16 as of March 30 scheduled to attend classes that will be operated by the
17 career technical education district. The student count for the school
18 district of residence of the pupils registered at the career technical
19 education district shall be adjusted. The adjustment shall cause the
20 school district of residence to reduce the student count for the pupil to
21 reflect the courses to be taken at the career technical education
22 district. The school district of residence shall review and approve the
23 adjustment of its own student count as provided in this subdivision before
24 the pupils from the school district can be added to the student count of
25 the career technical education district.

26 (b) The student count for the new career technical education
27 district shall be the student count as determined in subdivision (a) of
28 this paragraph.

29 (c) For the first year of operation, the career technical education
30 district shall revise the student count to the actual average daily
31 membership as prescribed in section 15-901, subsection A, paragraph 1 for
32 students attending classes in the career technical education district. A
33 career technical education district shall revise its student count, the
34 base support level as provided in section 15-943.02, the revenue control
35 limit as provided in section 15-944.01 and the district additional
36 assistance as provided in section 15-962.01 before May 15. A career
37 technical education district that overestimated its student count shall
38 revise its budget before May 15. A career technical education district
39 that underestimated its student count may revise its budget before May 15.

40 (d) After March 15 of the first year of operation, the school
41 district of residence shall adjust its student count by reducing it to
42 reflect the courses actually taken at the career technical education
43 district. The school district of residence shall revise its student
44 count, the base support level as provided in section 15-943, the revenue
45 control limit as provided in section 15-944 and the district additional
46 assistance as provided in section 15-962.01 prior to May 15. A district
47 that underestimated the student count for students attending the career
48 technical education district shall revise its budget before May 15. A

1 district that overestimated the student count for students attending the
2 career technical education district may revise its budget before May 15.

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

5 For the purposes of this paragraph, "school district of residence" means
6 the school district that included the pupil in its average daily
7 membership for the year before the first year of operation of the career
8 technical education district and that would have included the pupil in its
9 student count for the purposes of computing its base support level for the
10 fiscal year of the first year of operation of the career technical
11 education district if the pupil had not enrolled in the career technical
12 education district.

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

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

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

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

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

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

35 7. A school district that is part of a career technical education
36 district shall use any monies received pursuant to this article to
37 supplement and not supplant base year career and technical education
38 courses, and directly related equipment and facilities, except that a
39 school district that is part of a career technical education district and
40 that has used monies received pursuant to this article to supplant career
41 and technical education courses that were offered before the first year
42 that the school district participated in the career technical education
43 district or the first year that the school district used monies received
44 pursuant to this article or that used the monies for purposes other than
45 for career and technical education courses shall use one hundred percent
46 of the monies received pursuant to this article to supplement and not
47 supplant base year career and technical education courses. Each
48 applicable school district shall provide a report to the career technical
49 education board and the department of education outlining the required

1 maintenance of effort and how monies were used to supplement and not
2 supplant base year career and technical education courses and directly
3 related equipment and facilities. THE CAREER TECHNICAL EDUCATION BOARD
4 SHALL MONITOR HOW MONIES THAT ARE DISTRIBUTED BY THE CAREER TECHNICAL
5 EDUCATION DISTRICT PURSUANT TO THIS ARTICLE ARE USED. THE CAREER
6 TECHNICAL EDUCATION BOARD SHALL MAINTAIN ANY FINANCIAL RECORDS,
7 DOCUMENTATION OR INFORMATION THAT IS REASONABLY NECESSARY FOR THE PURPOSES
8 OF THIS PARAGRAPH. THE CAREER TECHNICAL EDUCATION BOARD SHALL SUBMIT TO
9 EACH PARTICIPATING SCHOOL DISTRICT AN ANNUAL REPORT THAT INCLUDES THE
10 AGGREGATE CAREER TECHNICAL EDUCATION DISTRICT EXPENDITURES AND THE CAREER
11 TECHNICAL EDUCATION DISTRICT EXPENDITURES THAT DIRECTLY SUPPORT CAREER
12 TECHNICAL EDUCATION COURSES OR PROGRAMS THAT ARE PROVIDED AT EACH
13 PARTICIPATING SCHOOL DISTRICT. ON REQUEST FROM A PARTICIPATING SCHOOL
14 DISTRICT, THE CAREER TECHNICAL EDUCATION BOARD SHALL PROVIDE ADDITIONAL
15 INFORMATION AND DETAILS ABOUT THE EXPENDITURES.

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

19 9. A career technical education district or a school district that
20 is part of a career technical education district or a charter school shall
21 only include pupils in grades nine through twelve and pupils in the school
22 year immediately following graduation in the calculation of student count
23 or average daily membership if the pupils are enrolled in courses that are
24 approved jointly by the governing board of the career technical education
25 district and each participating school district or charter school for
26 satellite courses taught within the participating school district or
27 charter school, or approved solely by the career technical education
28 district for centrally located courses. Funding may be provided for not
29 more than four years for the same student. Student count and average
30 daily membership from courses that are not part of an approved program for
31 career and technical education shall not be included in student count and
32 average daily membership of a career technical education district.

33 10. A career technical education district may build, maintain and
34 provide housing facilities and support services for students who are in
35 foster care or who meet the definition of unaccompanied youth as defined
36 in the McKinney-Vento homeless assistance act (P.L. 100-77; 101 Stat. 482;
37 42 United States Code section 11434a).

38 11. NOTWITHSTANDING PARAGRAPH 7 OF THIS SUBSECTION, A SCHOOL
39 DISTRICT THAT IS PART OF A CAREER TECHNICAL EDUCATION DISTRICT MAY CARRY
40 FORWARD NOT MORE THAN TWENTY-FIVE PERCENT OF ANY MONIES RECEIVED PURSUANT
41 TO THIS ARTICLE FOR ANY PURPOSE RELATED TO CAREER TECHNICAL EDUCATION, AS
42 DETERMINED BY THE SCHOOL DISTRICT. A SCHOOL DISTRICT MAY APPLY TO THE
43 CAREER TECHNICAL EDUCATION BOARD TO USE MORE THAN TWENTY-FIVE PERCENT OF
44 ANY MONIES RECEIVED PURSUANT TO THIS ARTICLE BY SUBMITTING A CAPITAL PLAN
45 TO THE CAREER TECHNICAL EDUCATION BOARD WITH THE APPLICATION. THE SCHOOL
46 DISTRICT MAY SPEND MORE THAN TWENTY-FIVE PERCENT OF THE MONIES THAT THE
47 SCHOOL DISTRICT RECEIVES PURSUANT TO THIS ARTICLE IN ANY FISCAL YEAR ONLY
48 IF BOTH OF THE FOLLOWING REQUIREMENTS ARE MET:

1 (a) THE CAREER TECHNICAL EDUCATION BOARD APPROVES THE SCHOOL
2 DISTRICT'S CAPITAL PLAN BEFORE THE EXCESS EXPENDITURES OCCUR.

3 (b) ALL EXCESS EXPENDITURES ARE PURSUANT TO THE CAPITAL PLAN.

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

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

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

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

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

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

35 K. A career technical education board may enter into agreements to
36 provide for administrative, operational and educational services and
37 facilities with either:

38 1. A community college district.

39 2. A university under the jurisdiction of the Arizona board of
40 regents only if the community college district, if any, for each county in
41 which the career technical education district is located is not able to
42 offer the course or program in the next school year. For the purposes of
43 this paragraph, a community college district is not able to offer a course
44 or program if both of the following apply:

45 (a) On or before November 1 of each year, the career technical
46 education board notifies the president or chancellor of the community
47 college district in writing that the career technical education district
48 seeks to offer one or more courses or programs, or both, that are BOTH:

1 (i) Not offered through an existing agreement between the career
2 technical education board and the community college district.

3 (ii) ~~Are~~ Available through a university under the jurisdiction of
4 the Arizona board of regents.

5 (b) The president or chancellor of the community college district
6 either:

7 (i) Not later than thirty days after the president or chancellor
8 receives the notice pursuant to subdivision (a) of this paragraph,
9 notifies the superintendent of the career technical education district in
10 writing that no community college district is able to offer the course or
11 program in the next school year.

12 (ii) Fails to respond to the superintendent of the career technical
13 education district within thirty days after the president or chancellor of
14 the community college district receives the notice pursuant to subdivision
15 (a) of this paragraph.

16 L. Any agreement between ~~the governing board of~~ a career technical
17 education ~~district~~ BOARD and another career technical education ~~district~~
18 BOARD, a school district, a charter school, a university or a community
19 college district shall be in the form of an intergovernmental agreement or
20 other written contract THAT IS EXECUTED ON OR BEFORE JULY 1 OF THE FIRST
21 YEAR IN WHICH A CAREER TECHNICAL EDUCATION COURSE OR PROGRAM WILL BE
22 OFFERED AT A SATELLITE CAMPUS PURSUANT TO THE AGREEMENT OR CONTRACT. The
23 auditor general shall modify the uniform system of financial records and
24 budget forms in accordance with this subsection. The intergovernmental
25 agreement or other written contract shall completely and accurately
26 specify each of the following:

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

29 2. The accountability provisions of the intergovernmental agreement
30 or other written contract.

31 3. The responsibilities of each career technical education
32 district, each school district, each charter school, each university and
33 each community college district that is a party to the intergovernmental
34 agreement or other written contract.

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

38 5. The quality of ~~the instruction;~~ EACH INSTRUCTOR, INCLUDING THE
39 MINIMUM QUALIFICATIONS, RELEVANT INDUSTRY EXPERIENCE AND INDUSTRY-RELEVANT
40 PROFESSIONAL DEVELOPMENT, that will be provided under the
41 intergovernmental agreement or other written contract. THE SCHOOL
42 DISTRICT, THE CHARTER SCHOOL, THE UNIVERSITY OR THE COMMUNITY COLLEGE
43 DISTRICT SHALL OVERSEE THE EVALUATION OF THE INSTRUCTOR UNLESS THE
44 INTERGOVERNMENTAL AGREEMENT OR WRITTEN CONTRACT PROVIDES OTHERWISE.

45 6. The transportation services that will be provided under the
46 intergovernmental agreement or other written contract and the manner in
47 which transportation costs will be paid.

1 7. The amount that the career technical education district will
2 contribute to a course and the amount of support required by the school
3 district, the charter school, the university or the community college.

4 ~~8. That the services provided by the career technical education~~
5 ~~district, the school district, the charter school, the university or the~~
6 ~~community college district be proportionally calculated in the cost of~~
7 ~~delivering the service.~~

8 ~~9.~~ 8. That the payment for services shall not exceed the cost of
9 the services provided. IF THE AVERAGE DAILY MEMBERSHIP THAT IS GENERATED
10 BY A SATELLITE PROGRAM OR COURSE IS INSUFFICIENT TO PAY FOR THE COSTS OF
11 DELIVERING THE PROGRAM OR COURSE AT THE SCHOOL DISTRICT OR CHARTER SCHOOL,
12 THE PARTICIPATING SCHOOL DISTRICT OR CHARTER SCHOOL MAY USE FUNDING THAT
13 IS GENERATED BY OTHER CAREER TECHNICAL EDUCATION PROGRAMS OR COURSES AND
14 THAT EXCEEDS THE COSTS OF DELIVERING THE OTHER CAREER TECHNICAL EDUCATION
15 PROGRAMS OR COURSES TO PAY FOR THE SHORTFALL.

16 ~~10.~~ 9. That the career technical education district will provide
17 the following minimum services for all member districts:

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

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

23 ~~11.~~ 10. An itemized listing of other goods and services that are
24 provided to the member district and that are paid for by the retention of
25 satellite campus student funding.

26 11. THAT ANY PARTY TO THE INTERGOVERNMENTAL AGREEMENT OR WRITTEN
27 CONTRACT MAY BRING AN ACTION AGAINST ANOTHER PARTY UNDER THE AGREEMENT OR
28 CONTRACT ONLY AFTER PARTICIPATING IN GOOD FAITH IN MEDIATION THAT IS
29 ADMINISTERED BY A TRAINED AND IMPARTIAL MEDIATOR. EACH PARTY IS
30 RESPONSIBLE FOR PAYING ANY COSTS INCURRED BY THE PARTY FOR THE MEDIATION,
31 INCLUDING COSTS INCURRED FOR LEGAL REPRESENTATION, AND THE PARTY'S PRO
32 RATA SHARE OF THE MEDIATION FEES.

33 12. THAT IF A CAREER TECHNICAL EDUCATION DISTRICT AND A SCHOOL
34 DISTRICT DO NOT AGREE TO A SPECIFIED APPORTIONMENT ON OR BEFORE JULY 1,
35 THE STATE BOARD OF EDUCATION ACTING AS THE STATE BOARD OF VOCATIONAL
36 EDUCATION SHALL MEDIATE THE DISPUTE AND DETERMINE THE APPORTIONMENT FOR
37 THE SCHOOL YEAR NOT LATER THAN AUGUST 1.

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

1 division of the department of education determines that a course does not
2 meet the criteria for approval as a career technical education course, ~~the~~
3 ~~governing board of~~ THE DIVISION SHALL PROVIDE TO the career technical
4 education ~~district~~ BOARD A WRITTEN DETERMINATION THAT INCLUDES THE REASONS
5 FOR THE DIVISION'S DETERMINATION, AND THE CAREER TECHNICAL EDUCATION BOARD
6 may appeal ~~this decision~~ THE DETERMINATION to the state board of education
7 acting as the state board of vocational education. THE CAREER TECHNICAL
8 EDUCATION BOARD AND THE CAREER AND TECHNICAL EDUCATION DIVISION OF THE
9 DEPARTMENT OF EDUCATION SHALL ACCEPT AND CONSIDER REQUESTS PURSUANT TO
10 THIS SUBSECTION FROM JULY 1 THROUGH JUNE 30 OF EACH YEAR AND SHALL
11 DETERMINE WHETHER TO APPROVE EACH REQUEST NOT LATER THAN _____ DAYS AFTER
12 RECEIVING THE REQUEST. IF THE CAREER TECHNICAL EDUCATION BOARD DOES NOT
13 APPROVE A REQUEST, THE CAREER TECHNICAL EDUCATION BOARD SHALL PROVIDE TO
14 THE MEMBER SCHOOL DISTRICT OR CHARTER SCHOOL A WRITTEN DETERMINATION THAT
15 INCLUDES THE REASONS FOR THE CAREER TECHNICAL EDUCATION BOARD'S
16 DETERMINATION. A PARTICIPATING SCHOOL DISTRICT OR CHARTER SCHOOL MAY
17 AMEND A REQUEST THAT IS NOT APPROVED PURSUANT TO THIS SUBSECTION TO
18 ADDRESS THE REASONS FOR THE DISAPPROVAL. THE CAREER TECHNICAL EDUCATION
19 BOARD SHALL CONSIDER AN AMENDED REQUEST THAT IS SUBMITTED PURSUANT TO THIS
20 SUBSECTION IN THE SAME MANNER AS AN INITIAL REQUEST.

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

27 O. If a career and technical education course or program is
28 provided on a satellite campus, the sum of the average daily membership,
29 as provided in section 15-901, subsection A, paragraph 1, for that pupil
30 in the school district or charter school and career technical education
31 district shall not exceed 1.25. ~~The school district or charter school and~~
32 ~~the career technical education district shall determine the apportionment~~
33 Of the 1.25 average daily membership ~~for that pupil between the school~~
34 ~~district or charter school and the career technical education district,~~ A
35 MAXIMUM OF 1.0 SHALL BE ATTRIBUTED TO THE SCHOOL DISTRICT OR CHARTER
36 SCHOOL AND A MAXIMUM OF 0.25 SHALL BE ATTRIBUTED TO THE CAREER TECHNICAL
37 EDUCATION DISTRICT, UNLESS OTHERWISE APPORTIONED PURSUANT TO AN
38 INTERGOVERNMENTAL AGREEMENT. THE SCHOOL DISTRICT OR CHARTER SCHOOL AND
39 THE CAREER TECHNICAL EDUCATION DISTRICT SHALL DETERMINE THE APPORTIONMENT
40 OF THE 0.25 AVERAGE DAILY MEMBERSHIP PURSUANT TO A FULLY EXECUTED
41 INTERGOVERNMENTAL AGREEMENT. IN THE ABSENCE OF A FULLY EXECUTED
42 INTERGOVERNMENTAL AGREEMENT, THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL
43 NOT REPORT AN AVERAGE DAILY MEMBERSHIP FOR A SATELLITE CAMPUS COURSE OR
44 PROGRAM, AND AVERAGE DAILY MEMBERSHIP SHALL NOT BE GENERATED FOR THAT
45 COURSE OR PROGRAM. A pupil who attends a course or program at a satellite
46 campus and who is not enrolled in the school district or charter school
47 where the satellite campus is located may generate the average daily
48 membership of up to 0.25 for one hundred fifty instructional hours of
49 enrollment for instruction received during any hour of the day, during any

1 day of the week and at any time between July 1 and June 30 of each fiscal
2 year pursuant to this subsection if the pupil is enrolled in a school
3 district that is a member district in the same career technical education
4 district.

5 P. The sum of the average daily membership of a pupil who is
6 enrolled in both the school district and career technical education course
7 or career technical education program provided by a community college or
8 university pursuant to subsection K of this section or at a centralized
9 campus shall not exceed 1.75. The average daily membership for a pupil
10 who is enrolled in a career technical education course or career technical
11 education program provided by a community college or university shall be
12 0.25 for the accumulation of every three community college or university
13 credits for which a student is enrolled in career technical education
14 courses. The member school district and the career technical education
15 district shall determine the apportionment of the average daily membership
16 and student enrollment for that pupil between the member school district
17 and the career technical education district, except that the amount
18 apportioned shall not exceed 1.0 for either entity. Notwithstanding any
19 other law, the average daily membership for a pupil who is in grade nine,
20 ten, eleven or twelve or in the school year immediately following
21 graduation and who is enrolled in a course that meets for at least one
22 hundred fifty minutes per class period at a centralized campus shall be
23 0.75. To qualify for funding pursuant to this subsection, a centralized
24 campus shall offer programs and courses to all eligible students in each
25 member district of the career technical education district. Students in
26 an approved career technical education program may generate an average
27 daily membership of up to 1.75 for instruction received during any hour of
28 the day, during any day of the week and at any time between July 1 and
29 June 30 of each fiscal year. Average daily membership shall not be
30 calculated on the one hundredth day of instruction for the purposes of
31 this section. Average daily membership shall be calculated by dividing
32 the instructional hours of enrollment by six hundred hours, except that:

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

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

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

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

40 Q. The average daily membership for a pupil who is in grade nine,
41 ten, eleven or twelve or in the school year immediately following
42 graduation and who is enrolled in a course that meets for at least one
43 hundred fifty minutes per class period at a leased centralized campus
44 shall not exceed 0.75. Students in an approved career technical education
45 program provided by a leased centralized campus may generate an average
46 daily membership for instruction received during any hour of the day,
47 during any day of the week and at any time between July 1 and June 30 of
48 each fiscal year. Average daily membership shall be calculated by

1 dividing the instructional hours of enrollment by six hundred hours,
2 except that:

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

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

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

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

10 R. The sum of the average daily membership, as provided in section
11 15-901, subsection A, paragraph 1, of a pupil who is enrolled in both the
12 school district and in career technical education courses provided at a
13 leased centralized campus shall not exceed 1.75 if all of the following
14 conditions are met:

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

16 2. The course is offered to all eligible students in each member
17 district of the career technical education district and enrolls students
18 from multiple high schools.

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

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

28 S. A student who is enrolled in an accommodation school may be
29 treated as a student of the school district in which the student
30 physically resides for the purposes of enrollment in a career technical
31 education district and shall be included in the calculation of average
32 daily membership for either the career technical education district or the
33 accommodation school, or both.

34 T. Notwithstanding any other law, the student count for a career
35 technical education district ~~shall be~~ IS equivalent to the career
36 technical education district's average daily membership. Students in an
37 approved career technical education program provided by a satellite
38 campus, centralized campus or leased centralized campus may generate an
39 average daily membership subject to the limits prescribed by subsections
40 D, N, O, P, Q and R of this section, as applicable, for instruction
41 received during any hour of the day, during any day of the week and at any
42 time between July 1 and June 30 of each fiscal year. Average daily
43 membership shall not be calculated on the one hundredth day of instruction
44 for the purposes of this section. The department may not restrict the
45 instructional time by limiting the particular days of the week or time of
46 the fiscal year for instruction to occur. THE CAREER TECHNICAL EDUCATION
47 BOARD IS RESPONSIBLE FOR ANY FUNDING RELATED TO THE CAREER TECHNICAL
48 EDUCATION DISTRICT'S AVERAGE DAILY MEMBERSHIP.

1 U. A school district or charter school may not prohibit or
2 discourage students who are enrolled in that school district or charter
3 school from attending courses offered by a career technical education
4 district, including requiring students to generate a full 1.0 average
5 daily membership or to enroll in more courses than are needed to graduate
6 before enrolling in and attending programs or courses offered by a career
7 technical education district.

8 V. The governing board of the career technical education district
9 may contract with any charter school that is located within the boundaries
10 of the career technical education district to allow that charter school to
11 offer career and technical education courses or programs as a satellite
12 campus.

13 W. Beginning in 2020 and every five years thereafter, the career
14 and technical education division of the department of education shall
15 review career technical education district programs and career technical
16 education courses to ensure compliance, quality and eligibility. Any
17 program or course deemed to not meet the requirements set forth by law
18 shall not be funded for the current school year and shall be removed from
19 the approved program and course list for the purposes of funding. The
20 career and technical education division may establish a staggered schedule
21 for reviewing each career technical education district.

22 X. Notwithstanding subsection D, paragraphs 4 and 9 and subsections
23 P, Q and R of this section, for a student in grade nine, funding shall be
24 provided pursuant to this section only if the student reaches the fortieth
25 day of grade eleven enrolled in an approved career technical education
26 program and meets the requirements prescribed in subsection Z of this
27 section. At that time funding shall be provided for that student for
28 grade nine and for any subsequent year in which the student is eligible
29 for funding pursuant to this section.

30 Y. On or before September 1 of each year, the office of economic
31 opportunity in collaboration with the department of education shall
32 compile an in-demand regional education list of the approved career
33 technical education programs that lead to a career path in high demand
34 with median-to-high-wage jobs in that region. The office of economic
35 opportunity shall incorporate industry feedback as part of developing the
36 in-demand regional educational list. The office of economic opportunity
37 shall submit the in-demand regional education list to the Arizona career
38 and technical education quality commission for review and approval.

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

46 AA. For the purposes of this section:

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

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

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

7 4. "Leased centralized campus" means a facility that is leased and
8 operated by a career technical education district to offer career
9 technical education district programs or career technical education
10 courses.

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

14 Amend title to conform

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