

CORRECTED

Senate Engrossed House Bill

~~public schools; special education; access~~
(now: access; special education; public schools)

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2621

AN ACT

AMENDING TITLE 15, CHAPTER 7, ARTICLE 4, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-768; AMENDING SECTIONS 15-797, 15-816, 15-823,
15-823.01, 15-824, 15-825, 15-944, 15-947, 15-976 AND 15-1185, ARIZONA
REVISED STATUTES; RELATING TO PUBLIC EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 7, article 4, Arizona Revised
3 Statutes, is amended by adding section 15-768, to read:

4 15-768. Pupils residing in unorganized territory; pupils
5 placed by a court or state placing agency;
6 definitions

7 A. THE PARENT OF A PUPIL WHO RESIDES IN AN UNORGANIZED TERRITORY
8 MAY REQUEST A CHILD FIND SCREENING, A SPECIAL EDUCATION EVALUATION OR
9 ENROLLMENT OF THE PUPIL IN THE ADJOINING SCHOOL DISTRICT THAT IS
10 GEOGRAPHICALLY CLOSEST TO THE PUPIL'S RESIDENCE. A SCHOOL DISTRICT THAT
11 RECEIVES A REQUEST PURSUANT TO THIS SUBSECTION IS RESPONSIBLE FOR ALL
12 CHILD FIND ACTIVITIES FOR THAT PUPIL. IF A PARENT OF A PUPIL WHO IS A
13 CHILD WITH A DISABILITY AS DEFINED IN SECTION 15-761 REQUESTS ENROLLMENT
14 OF THE PUPIL IN A SCHOOL DISTRICT PURSUANT TO THIS SUBSECTION, THE SCHOOL
15 DISTRICT IS RESPONSIBLE FOR PROVIDING A FREE APPROPRIATE PUBLIC EDUCATION
16 TO THE PUPIL.

17 B. EACH PROGRAM THAT PROVIDES EARLY INTERVENTION SERVICES PURSUANT
18 TO PART C OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (20 UNITED
19 STATES CODE SECTIONS 1401 THROUGH 1485) TO PUPILS WHO RESIDE IN
20 UNORGANIZED TERRITORIES SHALL INITIATE THE PROCESS FOR TRANSITIONING THE
21 PUPILS FROM PART C TO PART B OF THE INDIVIDUALS WITH DISABILITIES
22 EDUCATION ACT BY NOTIFYING THE DEPARTMENT OF EDUCATION AND REFERRING THE
23 PUPIL TO THE ADJOINING SCHOOL DISTRICT THAT IS GEOGRAPHICALLY CLOSEST TO
24 THE PUPIL'S RESIDENCE FOR A SPECIAL EDUCATION EVALUATION AND TRANSITION AT
25 LEAST NINETY DAYS BEFORE THE PUPIL'S THIRD BIRTHDAY. IF A PROGRAM
26 DETERMINES THAT A PUPIL WHO RESIDES IN AN UNORGANIZED TERRITORY IS
27 ELIGIBLE FOR EARLY INTERVENTION SERVICES PURSUANT TO PART C OF THE
28 INDIVIDUALS WITH DISABILITIES EDUCATION ACT MORE THAN FORTY-FIVE DAYS BUT
29 FEWER THAN NINETY DAYS BEFORE THE PUPIL'S THIRD BIRTHDAY, THE PROGRAM
30 SHALL INITIATE THE PROCESS FOR TRANSITIONING THE PUPIL FROM PART C TO PART
31 B OF THE INDIVIDUALS WITH DISABILITIES ACT PURSUANT TO THIS SUBSECTION AS
32 SOON AS POSSIBLE, CONSISTENT WITH FEDERAL LAW.

33 C. IF THE ADJOINING SCHOOL DISTRICT THAT IS GEOGRAPHICALLY CLOSEST
34 TO THE RESIDENCE OF A PUPIL DESCRIBED IN SUBSECTION B OF THIS SECTION
35 CONDUCTS A SPECIAL EDUCATION EVALUATION OF THE PUPIL AND DETERMINES
36 THAT THE PUPIL IS ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES
37 UNDER PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT, THE
38 PUPIL'S PARENTS MAY REQUEST ENROLLMENT OF THE PUPIL IN THE SCHOOL DISTRICT
39 AT ANY TIME AND THE SCHOOL DISTRICT SHALL INFORM THE PUPIL'S PARENT THAT
40 THE PUPIL'S PARENT MAY REQUEST ENROLLMENT OF THE PUPIL. ON RECEIPT OF A
41 REQUEST FOR ENROLLMENT PURSUANT TO THIS SUBSECTION, A SCHOOL DISTRICT
42 SHALL PREPARE A CERTIFICATE OF EDUCATIONAL CONVENIENCE APPLICATION FOR THE
43 PUPIL AS PRESCRIBED BY SECTION 15-825 AND OFFER A FREE APPROPRIATE PUBLIC
44 EDUCATION TO THE PUPIL.

1 D. IF A PUPIL RESIDES IN AN UNORGANIZED TERRITORY AND EITHER IS
2 PARENTALLY PLACED IN A PRIVATE SCHOOL OR ATTENDS A HOMESCHOOL, THE
3 FOLLOWING APPLY:

4 1. THE PUPIL RETAINS THE RIGHTS ESTABLISHED BY 20 UNITED STATES
5 CODE SECTION 1412, INCLUDING THE RIGHTS TO BE IDENTIFIED, LOCATED AND
6 EVALUATED FOR ELIGIBILITY UNDER PART B OF THE INDIVIDUALS WITH
7 DISABILITIES EDUCATION ACT.

8 2. IF THE PUPIL IS PARENTALLY PLACED IN A NONPROFIT PRIVATE SCHOOL
9 OR ATTENDS A HOMESCHOOL, THE PUPIL RETAINS THE RIGHT TO EQUITABLE SERVICES
10 UNDER PROPORTIONATE SHARE FUNDING PURSUANT TO 20 UNITED STATES CODE
11 SECTION 1412.

12 3. THE SCHOOL DISTRICT THAT IS RESPONSIBLE FOR CONDUCTING THE
13 ACTIVITIES DESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION AND FOR PROVIDING
14 THE SERVICES DESCRIBED IN PARAGRAPH 2 OF THIS SUBSECTION FOR THE PUPIL IS:

15 (a) IF THE PUPIL IS PARENTALLY PLACED IN A NONPROFIT PRIVATE SCHOOL
16 THAT IS LOCATED WITHIN THE BOUNDARIES OF A SCHOOL DISTRICT, THE SCHOOL
17 DISTRICT IN WHICH THE PRIVATE SCHOOL IS LOCATED.

18 (b) IF THE PUPIL IS PARENTALLY PLACED IN A NONPROFIT PRIVATE SCHOOL
19 THAT IS LOCATED IN AN UNORGANIZED TERRITORY, THE ADJOINING SCHOOL DISTRICT
20 THAT IS GEOGRAPHICALLY CLOSEST TO THE PRIVATE SCHOOL.

21 (c) IF THE PUPIL ATTENDS A HOMESCHOOL OR IS PARENTALLY PLACED IN A
22 PRIVATE SCHOOL THAT IS NOT A NONPROFIT, THE ADJOINING SCHOOL DISTRICT THAT
23 IS GEOGRAPHICALLY CLOSEST TO THE PUPIL'S RESIDENCE.

24 E. IF A PUPIL IS PLACED BY A STATE PLACING AGENCY OR A COURT OF
25 COMPETENT JURISDICTION IN A RESIDENTIAL PLACEMENT DESCRIBED IN SECTION
26 15-823, SUBSECTION C AND EITHER IS PARENTALLY PLACED IN A PRIVATE SCHOOL
27 OR ATTENDS A HOMESCHOOL, THE FOLLOWING APPLY:

28 1. THE PUPIL RETAINS THE RIGHTS ESTABLISHED BY 20 UNITED STATES
29 CODE SECTION 1412, INCLUDING THE RIGHTS TO BE IDENTIFIED, LOCATED AND
30 EVALUATED FOR ELIGIBILITY UNDER PART B OF THE INDIVIDUALS WITH
31 DISABILITIES EDUCATION ACT.

32 2. IF THE PUPIL IS PARENTALLY PLACED IN A NONPROFIT PRIVATE SCHOOL
33 OR ATTENDS A HOMESCHOOL, THE PUPIL RETAINS THE RIGHT TO EQUITABLE
34 SERVICES UNDER PROPORTIONATE SHARE FUNDING PURSUANT TO 20 UNITED STATES
35 CODE SECTION 1412.

36 3. THE SCHOOL DISTRICT THAT IS RESPONSIBLE FOR CONDUCTING THE
37 ACTIVITIES DESCRIBED IN PARAGRAPH 1 OF THIS SUBSECTION AND FOR PROVIDING
38 THE SERVICES DESCRIBED IN PARAGRAPH 2 OF THIS SUBSECTION FOR THE PUPIL
39 IS:

40 (a) IF THE PUPIL IS PARENTALLY PLACED IN A NONPROFIT PRIVATE SCHOOL
41 THAT IS LOCATED WITHIN THE BOUNDARIES OF A SCHOOL DISTRICT, THE SCHOOL
42 DISTRICT IN WHICH THE PRIVATE SCHOOL IS LOCATED.

43 (b) IF THE PUPIL IS PARENTALLY PLACED IN A NONPROFIT PRIVATE SCHOOL
44 THAT IS LOCATED IN AN UNORGANIZED TERRITORY, THE ADJOINING SCHOOL
45 DISTRICT THAT IS GEOGRAPHICALLY CLOSEST TO THE PRIVATE SCHOOL.

1 (c) IF THE PUPIL ATTENDS A HOMESCHOOL OR IS PARENTALLY PLACED IN A
2 PRIVATE SCHOOL THAT IS NOT A NONPROFIT AND THE RESIDENTIAL PLACEMENT IS
3 LOCATED WITHIN THE BOUNDARIES OF A SCHOOL DISTRICT, THE SCHOOL DISTRICT
4 IN WHICH THE RESIDENTIAL PLACEMENT IS LOCATED.

5 (d) IF THE PUPIL ATTENDS A HOMESCHOOL OR IS PARENTALLY PLACED IN A
6 PRIVATE SCHOOL THAT IS NOT A NONPROFIT AND THE RESIDENTIAL PLACEMENT IS
7 LOCATED IN AN UNORGANIZED TERRITORY, THE ADJOINING SCHOOL DISTRICT THAT
8 IS GEOGRAPHICALLY CLOSEST TO THE RESIDENTIAL PLACEMENT.

9 F. ON REQUEST FROM A PUPIL OR A PUPIL'S PARENT, A COUNTY SCHOOL
10 SUPERINTENDENT SHALL IDENTIFY THE ADJOINING SCHOOL DISTRICT THAT IS
11 GEOGRAPHICALLY CLOSEST TO THE PUPIL'S RESIDENCE OR RESIDENTIAL PLACEMENT.

12 G. FOR THE PURPOSES OF THIS SECTION:

13 1. "CHILD FIND ACTIVITIES" MEANS STATE OBLIGATIONS PURSUANT TO 20
14 UNITED STATES CODE SECTION 1412(a)(3), THE FEDERAL REGULATIONS ISSUED
15 PURSUANT TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AND THE RULES
16 ADOPTED BY THE STATE BOARD OF EDUCATION RELATING TO THE IDENTIFICATION
17 AND REFERRAL OF CHILDREN WITH DISABILITIES BY PUBLIC SCHOOLS.

18 2. "FREE APPROPRIATE PUBLIC EDUCATION" HAS THE SAME MEANING
19 PRESCRIBED IN 20 UNITED STATES CODE SECTION 1401.

20 3. "HOMESCHOOL" HAS THE SAME MEANING PRESCRIBED IN SECTION 15-802.

21 4. "UNORGANIZED TERRITORY" HAS THE SAME MEANING PRESCRIBED IN
22 SECTION 15-825.

23 5. "RELATED SERVICES" HAS THE SAME MEANING PRESCRIBED IN 20 UNITED
24 STATES CODE SECTION 1401.

25 6. "SPECIAL EDUCATION" HAS THE SAME MEANING PRESCRIBED IN 20 UNITED
26 STATES CODE SECTION 1401.

27 7. "SPECIAL EDUCATION EVALUATION" MEANS AN EVALUATION CONDUCTED
28 PURSUANT TO SECTION 15-766 AND RULES ADOPTED BY THE STATE BOARD OF
29 EDUCATION.

30 8. "STATE PLACING AGENCY" HAS THE SAME MEANING PRESCRIBED IN
31 SECTION 15-1181.

32 Sec. 2. Section 15-797, Arizona Revised Statutes, is amended to
33 read:

34 15-797. Financial provisions for students in alternative
35 education programs and alternative schools

36 A. School districts may count students for daily attendance as
37 provided in section 15-901 who are not actually and physically in
38 attendance in a recognized common or high school but who are enrolled in
39 and actually and physically in attendance in an alternative education
40 program or alternative school that is provided by any public body or
41 private person and that meets the standards that the state board of
42 education and the governing board prescribe for the course of study given
43 in the common and high schools.

44 B. The governing board of a school district shall prescribe
45 procedures for verifying the attendance of students enrolled in an

1 alternative education program or alternative school that is provided by
2 any public body or private person.

3 C. The governing board may pay for the cost of educating students
4 as provided in this article not to exceed the cost per student count as
5 provided in section 15-824, subsection ~~F~~ F.

6 D. School districts operating alternative education programs or
7 alternative schools pursuant to this section and charter schools operating
8 on approved alternative calendars pursuant to section 15-183 shall comply
9 with the annual hours of instruction requirement pursuant to section
10 15-901.

11 Sec. 3. Section 15-816, Arizona Revised Statutes, is amended to
12 read:

13 15-816. Definitions

14 In this article, unless the context otherwise requires:

15 1. "Nonresident pupil" means a pupil who MEETS ALL OF THE
16 FOLLOWING:

17 (a) IS NOT A RESIDENT PUPIL.

18 (b) Resides in this state. ~~and who~~

19 (c) Is enrolled in or is seeking enrollment in a school district
20 other than the school district in which the pupil resides.

21 2. "Open enrollment" means a policy that is adopted and implemented
22 by a school district governing board to allow resident transfer pupils to
23 enroll in any school within the school district, to allow resident pupils
24 to enroll in any school located within other school districts in this
25 state and to allow nonresident pupils to enroll in any school within the
26 district pursuant to section 15-816.01.

27 3. "Resident pupil" means a pupil WHO MEETS ANY OF THE FOLLOWING:

28 (a) Whose residence is within the attendance area of a school.

29 (b) WHO RESIDES IN AN UNORGANIZED TERRITORY AS DEFINED IN SECTION
30 15-825 AND WHOSE RESIDENCE ADJOINS A BOUNDARY OF THE SCHOOL DISTRICT.

31 (c) WHO RESIDES IN AN UNORGANIZED TERRITORY AS DEFINED IN SECTION
32 15-825 AND WHOSE RESIDENCE IS LOCATED ON TRIBAL LAND.

33 (d) WHO IS PLACED AS DESCRIBED IN SECTION 15-823, SUBSECTION C.

34 4. "Resident school" means:

35 (a) FOR A PUPIL WHO RESIDES IN THE SCHOOL DISTRICT, a school that
36 is within the designated attendance area in which ~~a~~ THE pupil resides.

37 (b) FOR A PUPIL WHO RESIDES IN AN UNORGANIZED TERRITORY, THE SCHOOL
38 THAT IS GEOGRAPHICALLY CLOSEST TO THE PUPIL'S RESIDENCE AND THAT SERVES
39 THE PUPIL'S GRADE LEVEL.

40 (c) FOR A PUPIL WHO IS PLACED AS DESCRIBED IN SECTION 15-823,
41 SUBSECTION C, A SCHOOL WITHIN THE DESIGNATED ATTENDANCE AREA IN WHICH THE
42 RESIDENTIAL PLACEMENT IS LOCATED.

43 5. "Resident transfer pupil" means a resident pupil who is enrolled
44 in or seeking enrollment in a school that is within the school district
45 but outside the attendance area of the pupil's residence.

1 Sec. 4. Section 15-823, Arizona Revised Statutes, is amended to
2 read:

3 15-823. Admission; residents of other school districts;
4 nonresidents of this state; children placed by a
5 court or state placing agency; tuition; definition

6 A. Except as provided in subsections B, ~~C~~, D, E, F, G, ~~and~~ H AND I
7 of this section, children of nonresidents of this state may be admitted on
8 payment of a reasonable tuition fixed by the governing board.

9 B. The governing board shall admit children of nonresident teaching
10 and research faculty of community college districts and state universities
11 and children of nonresident graduate or undergraduate students of
12 community college districts and state universities whose parent's presence
13 at the district or university is of international, national, state or
14 local benefit without payment of tuition.

15 C. THE GOVERNING BOARD SHALL ADMIT CHILDREN WHO ARE PLACED BY A
16 STATE PLACING AGENCY OR A COURT OF COMPETENT JURISDICTION IF THE CHILD'S
17 PLACEMENT IS LOCATED WITHIN THE BOUNDARIES OF THE SCHOOL DISTRICT AND IS
18 ANY OF THE FOLLOWING:

19 1. A STATE REHABILITATION OR CORRECTIONAL INSTITUTION.

20 2. A FOSTER HOME OR CHILD CARE AGENCY OR INSTITUTION THAT IS
21 LICENSED AND SUPERVISED BY THE DEPARTMENT OF CHILD SAFETY OR THE
22 DEPARTMENT OF HEALTH SERVICES.

23 3. A RESIDENTIAL FACILITY THAT IS OPERATED OR SUPPORTED BY THE
24 DEPARTMENT OF ECONOMIC SECURITY OR THE DEPARTMENT OF HEALTH SERVICES.

25 4. UNDER THE SUPERVISION OF THE DEPARTMENT OF JUVENILE CORRECTIONS,
26 A RESIDENCE PURSUANT TO THE INTERSTATE COMPACT ON JUVENILES.

27 ~~C~~. D. The governing board shall admit children who are residents
28 of the United States but who are nonresidents of this state without
29 payment of tuition if evidence indicates that the child's physical,
30 mental, moral or emotional health is best served by placement with a
31 grandparent, brother, sister, stepbrother, stepsister, aunt or uncle who
32 is a resident within the school district, unless the governing board
33 determines that the placement is solely for the purpose of obtaining an
34 education in this state without payment of tuition.

35 ~~D~~. E. The governing board may admit nonresident foreign students
36 who are in exchange programs without payment of tuition or as it may
37 otherwise prescribe.

38 ~~E~~. F. Notwithstanding subsection ~~D~~ E of this section, ~~beginning~~
39 ~~in the 2016-2017 school year~~ the governing board may admit the same number
40 of nonresident foreign students who are in exchange programs and who are
41 recipients of a J-1 visa pursuant to federal law, that is equal to the
42 number of resident students enrolled in that local education agency who
43 are currently participating in a foreign exchange program, as determined
44 by the department, without the payment of tuition.

1 ~~F.~~ G. The governing board may admit children who are residents of
2 the United States without payment of tuition if evidence indicates that
3 because the parents are homeless or the child is abandoned, as defined in
4 section 8-201, the child's physical, mental, moral or emotional health is
5 best served by placement with a person who does not have legal custody of
6 the child and who is a resident within the school district, unless the
7 governing board determines that the placement is solely for the purpose of
8 obtaining an education in this state without payment of tuition.

9 ~~G.~~ H. The governing board may admit children who are residents of
10 the United States, but who are nonresidents of this state, without payment
11 of tuition if all of the following conditions exist:

12 1. The child is a member of a federally recognized Indian tribe.

13 2. The child resides on Indian lands that are under the
14 jurisdiction of the tribe of which the child is a member.

15 3. The area in the boundaries of the reservation where the child
16 resides is located both in this state and in another state of the United
17 States.

18 4. The governing board enters into an intergovernmental agreement
19 with the governing board of the school district in another state in which
20 the nonresident child resides. The intergovernmental agreement shall
21 specify the number of nonresident children admitted in this state and the
22 number of resident children that are admitted by the governing board in
23 another state.

24 ~~H.~~ I. The governing board may admit children who are residents of
25 the United States, but who are nonresidents of this state, without payment
26 of tuition if all of the following conditions exist:

27 1. The child is enrolled in a year-round residential boarding
28 academy located in this state specializing in intensive instruction and
29 skill development in sports, music or acting.

30 2. The child's parents have executed a current notarized
31 guardianship agreement covering the child while enrolled at the academy,
32 which is a condition of enrollment at the academy and authorizes academy
33 representatives to act on behalf of the child's parent or legal guardian
34 in making all decisions on a daily basis as to the child's activities and
35 needs for medical, educational and other personal issues.

36 ~~I.~~ J. The governing board shall charge reasonable tuition for the
37 number of nonresident pupils who reside in another state and who are
38 admitted by a governing board in this state pursuant to subsection ~~G.~~ H of
39 this section that exceeds the number of resident pupils from this state
40 who are admitted into a school district by the other state.

41 ~~J.~~ K. The governing board of a school district shall pay
42 reasonable tuition for the number of resident pupils who reside in that
43 school district and who are admitted by a school district in another state
44 pursuant to subsection ~~H.~~ H of this section that exceeds the number of

1 nonresident pupils from that other state who are admitted by the governing
2 board into that school district in this state.

3 ~~K~~. L. Children admitted under this section shall be counted or not
4 counted as resident pupils as prescribed in section 15-824, subsection D.

5 ~~L~~. M. Except as provided in subsections ~~E~~ F, ~~H~~ I and ~~K~~ L of
6 this section, a school district or a charter school shall not include
7 pupils who are not residents of this state in the district's or charter
8 school's student count and shall not obtain state funding for those
9 pupils.

10 N. ON OR BEFORE JUNE 30, 2027, EACH STATE PLACING AGENCY SHALL
11 DEVELOP A FORM FOR ATTESTING THAT A CHILD IS PLACED BY THE STATE PLACING
12 AGENCY IN ONE OF THE RESIDENTIAL PLACEMENTS DESCRIBED IN SUBSECTION C OF
13 THIS SECTION. BEGINNING IN FISCAL YEAR 2027-2028, ON REQUEST FROM A
14 STUDENT'S PARENT, A SCHOOL DISTRICT OFFICIAL OR A COUNTY SCHOOL
15 SUPERINTENDENT, A STATE PLACING AGENCY SHALL PROVIDE AN ATTESTATION FORM
16 FOR A CHILD WHO IS PLACED BY THE STATE PLACING AGENCY AND WHO IS
17 IDENTIFIED IN THE REQUEST. A SCHOOL DISTRICT SHALL ACCEPT AN ATTESTATION
18 FORM THAT IS PROVIDED PURSUANT TO THIS SUBSECTION AS EVIDENCE OF THE
19 CHILD'S ELIGIBILITY FOR ENROLLMENT PURSUANT TO SUBSECTION C OF THIS
20 SECTION. IF A STUDENT'S PARENT, COUNTY SCHOOL SUPERINTENDENT OR STATE
21 PLACING AGENCY DOES NOT PROVIDE TO A SCHOOL DISTRICT AN ATTESTATION FORM
22 ON ENROLLMENT OF A CHILD DESCRIBED IN SUBSECTION C OF THIS SECTION, THE
23 SCHOOL DISTRICT MAY REQUEST AN ATTESTATION FORM FROM THE STATE PLACING
24 AGENCY.

25 O. ON REQUEST BY THE PARENT OF A CHILD DESCRIBED IN SUBSECTION C OF
26 THIS SECTION, A SCHOOL DISTRICT SHALL ALLOW THE CHILD TO REMAIN ENROLLED
27 AS A RESIDENT PUPIL IN THE SAME SCHOOL REGARDLESS OF ANY SUBSEQUENT CHANGE
28 IN THE CHILD'S RESIDENCE IF BOTH OF THE FOLLOWING CONDITIONS ARE MET:

29 1. THE CHILD IS IN ONE OF THE RESIDENTIAL PLACEMENTS DESCRIBED IN
30 SUBSECTION C OF THIS SECTION.

31 2. THE RESIDENTIAL PLACEMENT IS LOCATED EITHER:

32 (a) WITHIN THE BOUNDARIES OF THE SCHOOL DISTRICT IN WHICH THE CHILD
33 SEEKS TO REMAIN ENROLLED.

34 (b) WITHIN THE BOUNDARIES OF AN ADJOINING SCHOOL DISTRICT TO THE
35 SCHOOL DISTRICT IN WHICH THE CHILD SEEKS TO REMAIN ENROLLED.

36 (c) IN AN UNORGANIZED TERRITORY AND THE ADJOINING SCHOOL DISTRICT
37 THAT IS GEOGRAPHICALLY CLOSEST TO THE CHILD'S RESIDENTIAL PLACEMENT IS AN
38 ADJOINING SCHOOL DISTRICT TO THE SCHOOL DISTRICT IN WHICH THE CHILD SEEKS
39 TO REMAIN ENROLLED.

40 P. FOR THE PURPOSES OF THIS SECTION, "STATE PLACING AGENCY" HAS THE
41 SAME MEANING PRESCRIBED IN SECTION 15-1181.

1 Sec. 5. Section 15-823.01, Arizona Revised Statutes, is amended to
2 read:

3 15-823.01. Admission of nonresident children; services or
4 accommodations for children with disabilities;
5 active military duty; posting requirement;
6 definitions

7 A. Notwithstanding any other law, a ~~pupit~~ CHILD complies with the
8 residency requirements for school attendance in a local education agency
9 OR FOR SERVICES OR ACCOMMODATIONS if the parent of the ~~pupit~~ CHILD is
10 transferred to or is pending transfer to a military installation within
11 this state while on active military duty pursuant to an official military
12 order.

13 B. A local education agency shall accept an application for
14 enrollment and course registration by ~~electronic~~ ANY means, INCLUDING BY
15 ELECTRONIC MEANS OR A REMOTE APPLICATION, for a pupil who meets the
16 requirements prescribed in subsection A of this section, including
17 enrollment in a specific school or program within the local education
18 agency.

19 C. The parent of a ~~pupit~~ CHILD who meets the requirement prescribed
20 in subsection A of this section shall provide proof of ~~residence~~ RESIDENCY
21 to the local education agency within ten days after the arrival date
22 provided on official documentation. The parent may use the address of any
23 of the following as proof of ~~residence~~ RESIDENCY for the purposes of this
24 subsection:

25 1. A temporary on-base billeting facility.

26 2. TEMPORARY OFF-BASE LODGING.

27 ~~2-~~ 3. A purchased or leased home or apartment.

28 ~~3-~~ 4. Any federal government housing or off-base military housing,
29 including off-base military housing that may be provided through a
30 public-private venture.

31 5. ANY OTHER TEMPORARY HOUSING.

32 D. IF A SCHOOL DISTRICT IS NOTIFIED THAT A CHILD WHO MEETS THE
33 REQUIREMENT PRESCRIBED IN SUBSECTION A OF THIS SECTION IS RECEIVING OR
34 MIGHT BE ELIGIBLE TO RECEIVE SERVICES OR ACCOMMODATIONS, THE SCHOOL
35 DISTRICT SHALL:

36 1. PROMPTLY COORDINATE WITH THE CHILD'S PARENTS AND THE CHILD'S
37 PREVIOUS SCHOOL, IF ANY, PURSUANT TO SECTION 15-1911 TO ENSURE THE TIMELY
38 EXCHANGE OF RECORDS AND TO REDUCE ANY DELAYS IN THE CHILD RECEIVING
39 COMPARABLE SERVICES OR ACCOMMODATIONS THROUGH THE SCHOOL DISTRICT OR
40 DELAYS IN THE IMPLEMENTATION OF AN INDIVIDUALIZED FAMILY SERVICE PLAN,
41 INDIVIDUALIZED EDUCATION PROGRAM OR SECTION 504 PLAN AS DEFINED IN SECTION
42 15-731.

43 2. ACCEPT UNOFFICIAL RECORDS THAT ARE PROVIDED BY THE CHILD'S
44 PARENT, PENDING VALIDATION BY THE OFFICIAL RECORDS, PURSUANT TO SECTION
45 15-1911, ARTICLE IV, SUBSECTION A.

1 3. ON ENROLLMENT OF THE CHILD PURSUANT TO SUBSECTION B OF THIS
2 SECTION:

3 (a) PROVIDE THE CHILD WITH SERVICES OR ACCOMMODATIONS THAT ARE
4 COMPARABLE TO THE SERVICES OR ACCOMMODATIONS THAT ARE DESCRIBED IN THE
5 CHILD'S PREVIOUSLY APPROVED INDIVIDUALIZED EDUCATION PROGRAM OR SECTION
6 504 PLAN AS DEFINED IN SECTION 15-731, IN CONSULTATION WITH THE CHILD'S
7 PARENTS, UNTIL THE SCHOOL DISTRICT CONDUCTS AN ASSESSMENT OR DEVELOPS A
8 NEW INDIVIDUALIZED EDUCATION PROGRAM, IF APPROPRIATE.

9 (b) EITHER ADOPT AND IMPLEMENT THE CHILD'S PREVIOUSLY APPROVED
10 INDIVIDUALIZED EDUCATION PROGRAM OR DEVELOP, ADOPT AND IMPLEMENT A NEW
11 INDIVIDUALIZED EDUCATION PROGRAM FOR THE CHILD NOT LATER THAN THIRTY
12 CALENDAR DAYS AFTER THE CHILD ENROLLS IN THE SCHOOL DISTRICT.

13 E. THE DEPARTMENT OF EDUCATION SHALL POST INFORMATION ON THE
14 REQUIREMENTS OF THIS SECTION, INCLUDING REQUIREMENTS RELATING TO
15 ELIGIBILITY AND REQUIRED DOCUMENTATION, ON THE DEPARTMENT'S WEBSITE.

16 ~~D.~~ F. For the purposes of this section:

17 1. "Active military duty" means full-time military duty status in
18 the active uniformed service of the United States, including members of
19 the national guard and the state military reserve on active duty orders.

20 2. "Military installation" means a base, camp, post, station, yard,
21 center, homeport facility for any ship or other installation under the
22 jurisdiction of the United States department of defense or the United
23 States coast guard.

24 3. "PARENT" HAS THE SAME MEANING PRESCRIBED IN SECTION 15-761.

25 4. "SERVICES OR ACCOMMODATIONS" MEANS ANY SERVICES OR
26 ACCOMMODATIONS THAT ARE PROVIDED THROUGH A LOCAL EDUCATION AGENCY PURSUANT
27 TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (P.L. 91-260; 84 STAT.
28 175; 20 UNITED STATES CODE SECTIONS 1400 THROUGH 1482), SECTION 504 OF THE
29 REHABILITATION ACT OF 1973 (P.L. 93-112; 87 STAT. 355; 29 UNITED STATES
30 CODE SECTION 794) OR TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF
31 1990 (P.L. 101-336; 104 STAT. 327; 42 UNITED STATES CODE SECTIONS 12131
32 THROUGH 12165).

33 Sec. 6. Section 15-824, Arizona Revised Statutes, is amended to
34 read:

35 15-824. Admission of pupils of other school districts;
36 homeless children; tuition charges; definitions

37 A. The governing board of a school district shall admit pupils from
38 another school district or area as follows:

39 1. On the presentation of a certificate of educational convenience
40 issued by the county school superintendent pursuant to section 15-825.

41 2. For three hundred fifty or fewer pupils, to a high school
42 without the presentation of a certificate of educational convenience, if
43 the pupil is a resident of a common school district within this state that
44 is not within a high school district and that does not offer instruction
45 in the pupil's grade. The three hundred fifty or fewer pupil limitation

1 prescribed in this paragraph does not apply to a small isolated school
2 district as defined in section 15-901. The school membership of such
3 pupils is deemed, for the purposes of determining student count and
4 providing a free and appropriate public education pursuant to the
5 individuals with disabilities education act (20 United States Code
6 chapter 33) and for apportionment of state aid, to be enrollment in the
7 school district of the pupil's attendance.

8 3. To a high school without the presentation of a certificate of
9 educational convenience if the pupil is a resident of a transporting
10 school district that does not offer instruction in the pupil's grade.
11 Tuition shall be charged as prescribed in subsection E of this section for
12 each pupil who is admitted pursuant to this paragraph. For the purposes of
13 determining student count and for apportionment of state aid, the school
14 membership of these pupils is deemed to be enrollment in the school
15 district of the pupil's residence.

16 B. The residence of the person having legal custody of the pupil is
17 considered the residence of the pupil, except as provided in subsection C
18 of this section and in section ~~15-825, subsection B~~ 15-823, SUBSECTION C.

19 C. The current residence of a homeless pupil who does not reside
20 with the person having legal custody of the pupil is considered to be the
21 residence of the homeless pupil if the person having legal custody of the
22 pupil is a resident of the United States. For the purposes of this
23 subsection, "homeless pupil" means a pupil who has a primary residence
24 that is:

25 1. A supervised publicly or privately operated shelter designed to
26 provide temporary living accommodations.

27 2. An institution that provides a temporary residence for
28 individuals intended to be institutionalized.

29 3. A public or private place not designed for, or ordinarily used
30 as, a regular sleeping accommodation for human beings.

31 D. The school enrollment of a pupil who is a resident of this state
32 or who is admitted to a school district under section 15-823, subsection
33 B, C, ~~E~~, D, F, G or ~~H~~ I is deemed, for the purpose of determining student
34 count and for apportionment of state aid, to be enrollment in the school
35 district of actual attendance, except as provided in section 15-825,
36 subsection A, paragraph 1 and subsection A, paragraph 3 of this section
37 and except for pupils for whom the superintendent of public instruction is
38 charged tuition pursuant to section 15-825, ~~subsections B and~~
39 ~~B~~ SUBSECTION B and section 15-976 or for whom another school district is
40 charged tuition as provided in subsections E and ~~G~~ F of this section.

41 E. If tuition is required to be charged for pupils attending school
42 in a school district other than that of their residence, the tuition shall
43 be determined and paid in the following manner:

44 1. The number of high school pupils for which tuition may be
45 charged to a transporting school district is equal to the average daily

1 membership in the district of attendance from the transporting school
2 district for the prior fiscal year. This number may be adjusted if the
3 transporting school district increases its revenue control limit and
4 district support level.

5 2. The tuition for pupils attending school in a school district
6 other than that of their residence, except pupils provided for by section
7 15-825, ~~subsections B and D~~ SUBSECTION B and any pupils included in the
8 definition of child with a disability in section 15-761, shall not exceed
9 the cost per student count of the school district attended, as determined
10 for the current school year. Tuition for pupils included in the
11 definition of child with a disability in section 15-761 shall not exceed
12 the actual cost of the school attended for each pupil as determined for
13 the current year. The school district of attendance shall not include in
14 the cost per student count a charge for transportation if no
15 transportation is provided, and the charge for transportation shall not
16 exceed the actual costs of providing transportation for the pupils served,
17 as prescribed in the uniform system of financial records. The school
18 district of attendance shall provide the school district of residence with
19 the final tuition charge for the current year and with an estimate of the
20 budget year's tuition charge by May 1 of the current year. The school
21 district of residence shall pay at least one-fourth of the total amount of
22 the estimated tuition by September 30, December 31 and March 31, and it
23 shall pay the remaining amount it owes after adjustments are made by
24 June 30.

25 3. Notwithstanding paragraph 2 of this subsection and subsection
26 ~~F~~ F of this section, if two school districts enter into a voluntary
27 agreement for the payment of tuition, the agreement shall specify the
28 method for computing the tuition amount and the timing of the payments.
29 The agreement shall not be longer than five consecutive years. If two
30 school districts enter into an agreement and choose to renew the
31 agreement, each renewal shall not be longer than five consecutive years.
32 The agreement shall specify that a parent or legal guardian of a pupil
33 affected by a tuition agreement entered pursuant to this section or
34 section 15-816.01 may choose not to send the pupil or pupils to a school
35 district or school that is a party to the agreement.

36 4. Tuition of pupils as provided in section 15-825, subsection ~~B~~ B
37 shall not exceed the excess costs for group B children with disabilities
38 minus the amount generated by the equalization base as determined in
39 section 15-971, subsection A for these pupils. A school district may
40 submit to the superintendent of public instruction a record of actual
41 excess costs to educate a group B child with a disability if the costs are
42 higher than the calculated excess costs or if a pupil has been placed in a
43 private school for special education services. The superintendent shall
44 determine if the additional costs will be paid, and if the costs are paid,

1 whether the additional costs will be paid by the state or the resident
2 district.

3 5. The amount received representing contributions to capital outlay
4 as provided in subsection ~~6~~ F, paragraph 1, subdivision (b) of this
5 section shall be applied to the capital outlay fund or the debt service
6 fund of the school district.

7 6. The amount received representing contributions to debt service
8 as provided in subsection ~~6~~ F, paragraph 1, subdivision (c) of this
9 section shall be applied to the debt service fund of the school district
10 if there is one. Otherwise the amount shall be credited to the capital
11 outlay fund of the school district.

12 ~~F. A school district may submit to the superintendent of public
13 instruction a record of actual costs paid by the school district to
14 educate a pupil who qualifies for a certificate of educational convenience
15 under section 15-825, subsection B. If the actual costs for that pupil
16 exceed the costs per student count computed pursuant to subsection 6 of
17 this section, the superintendent of public instruction shall reimburse the
18 school district for these additional costs subject to legislative
19 appropriation.~~

20 ~~6~~ F. For the purposes of this section:

21 1. "Costs per student count" means the sum of the following for the
22 common or high school portion of the school district attended, whichever
23 is applicable to the pupil involved, as prescribed in the uniform system
24 of financial records:

25 (a) The actual school district expenditures for the regular
26 education program subsection of the maintenance and operation section of
27 the budget divided by the school district's student count for the common
28 or high school portion of the school district, whichever is applicable.

29 (b) The actual school district expenditures for the capital outlay
30 section of the budget as provided in sections 15-903 and 15-905 excluding
31 expenditures for transportation equipment and buildings if no
32 transportation is provided and expenditures for the acquisition of
33 building sites, divided by the school district's student count for the
34 common or high school portion of the school district, whichever is
35 applicable.

36 (c) The actual school district expenditures for debt service
37 divided by the school district's student count for the common or high
38 school portion of the school district, whichever is applicable.

39 2. "Legal custody" means:

40 (a) Custody exercised by the natural or adoptive parents with whom
41 a pupil resides.

42 (b) Custody granted by order of a court of competent jurisdiction
43 to a person or persons with whom a pupil resides unless the primary
44 purpose for which custody was requested was to circumvent the payment of
45 tuition as provided in this section.

1 Sec. 7. Section 15-825, Arizona Revised Statutes, is amended to
2 read:

3 15-825. Certificates of educational convenience; issuance;
4 effect on enrollment records; reporting
5 requirements; posting requirements; definitions

6 A. A pupil who is precluded by distance, lack of adequate
7 transportation facilities or a parent's or guardian's employment from
8 attending a school in the school district or county of the pupil's
9 residence or who resides in unorganized territory may apply to the pupil's
10 school district of residence or, for a pupil who resides in unorganized
11 territory, the school district of attendance for a certificate of
12 educational convenience. If a pupil who resides in unorganized territory
13 does not have a school district of attendance and seeks to ~~apply for a~~
14 ~~certificate of educational convenience~~ ENROLL IN A PUBLIC SCHOOL IN THIS
15 STATE, the pupil's parent ~~shall~~ MAY enroll the pupil in a school pursuant
16 to article 1.1 of this chapter ~~and apply to the school district that~~
17 ~~operates that school for a certificate of educational convenience~~ OR
18 REQUEST ENROLLMENT OF THE PUPIL IN THE ADJOINING SCHOOL DISTRICT THAT IS
19 GEOGRAPHICALLY CLOSEST TO THE PUPIL'S RESIDENCE. IF A PUPIL'S PARENT
20 REQUESTS ENROLLMENT OF THE PUPIL IN THE ADJOINING SCHOOL DISTRICT THAT IS
21 GEOGRAPHICALLY CLOSEST TO THE PUPIL'S RESIDENCE BY SUBMITTING ONLINE
22 ENROLLMENT PAPERWORK TO THE SCHOOL DISTRICT, BY ATTEMPTING TO ENROLL THE
23 PUPIL IN PERSON AT A SCHOOL DISTRICT OFFICE OR AT A SCHOOL THAT IS
24 OPERATED BY THE SCHOOL DISTRICT, OR BY REQUESTING ENROLLMENT ASSISTANCE IN
25 A TELEPHONIC, ELECTRONIC OR IN-PERSON COMMUNICATION WITH THE SCHOOL
26 DISTRICT OR A SCHOOL THAT IS OPERATED BY THE SCHOOL DISTRICT, THE SCHOOL
27 DISTRICT SHALL ENROLL THE PUPIL. A school district that receives ~~an~~
28 ~~application~~ A REQUEST FOR ENROLLMENT pursuant to this subsection shall
29 submit ~~the~~ A completed CERTIFICATE OF EDUCATIONAL CONVENIENCE application
30 FOR THE PUPIL to the county school superintendent electronically, in
31 person or by regular mail NOT LATER THAN FIVE BUSINESS DAYS AFTER
32 RECEIVING THE REQUEST AND ANY REQUIRED DOCUMENTATION, EXCEPT THAT A SCHOOL
33 DISTRICT MAY SUBMIT THE APPLICATION BY REGULAR MAIL ONLY IF THE SCHOOL
34 DISTRICT CANNOT ELECTRONICALLY SUBMIT THE APPLICATION. If it appears to
35 the county school superintendent that it is not feasible for the pupil to
36 attend a school in the school district or county of residence, the county
37 school superintendent shall issue a certificate of educational convenience
38 authorizing the pupil to attend a school in an adjoining school district
39 or county, whether within or without this state. A SCHOOL DISTRICT THAT
40 RECEIVES A REQUEST FOR ENROLLMENT OR AN APPLICATION FOR A CERTIFICATE OF
41 EDUCATIONAL CONVENIENCE PURSUANT TO THIS SUBSECTION MAY NOT DELAY CHILD
42 FIND ACTIVITIES, PARENTAL CONSENT FOR A SPECIAL EDUCATION EVALUATION OR
43 TIMELINES UNDER 34 CODE OF FEDERAL REGULATIONS SECTION 300.301 OR 300.323
44 BECAUSE A CERTIFICATE OF EDUCATIONAL CONVENIENCE APPLICATION IS
45 PROCESSING. If a certificate of educational convenience is issued as

1 provided in this subsection, the school enrollment of a pupil is as
2 follows:

3 1. The school enrollment of a pupil who is precluded from attending
4 a school in this state and who must attend school in another state, when
5 certified to the county school superintendent by the official in charge of
6 the school attended, is deemed for the purpose of determining student
7 count to be enrollment in the school of the county or school district of
8 the student's residence.

9 2. The school enrollment of a pupil from unorganized territory or
10 from another school district is deemed for the purpose of determining
11 student count to be enrollment in the school district of actual
12 attendance.

13 ~~B. The county school superintendent of any county in which a pupil~~
14 ~~is placed as described in this subsection shall issue a certificate of~~
15 ~~educational convenience for the pupil to attend school in the school~~
16 ~~district or adjoining school district to that in which the pupil is placed~~
17 ~~by an agency of this state or a state or federal court of competent~~
18 ~~jurisdiction in one of the following:~~

19 ~~1. A state rehabilitation or corrective institution.~~

20 ~~2. A foster home or child care agency or institution that is~~
21 ~~licensed and supervised by the department of child safety or the~~
22 ~~department of health services.~~

23 ~~3. A residential facility that is operated or supported by the~~
24 ~~department of economic security or the department of health services.~~

25 ~~4. Under the supervision of the department of juvenile corrections,~~
26 ~~a residence pursuant to the interstate compact on juveniles.~~
27 ~~Notwithstanding section 41-1959, the placing agency, department or~~
28 ~~institution shall provide the school district of attendance with the~~
29 ~~necessary information to enable the district to obtain a certificate of~~
30 ~~educational convenience pursuant to this subsection.~~

31 ~~C. A pupil attending school under a certificate of educational~~
32 ~~convenience issued pursuant to subsection B of this section is deemed for~~
33 ~~the purpose of determining student count to be enrolled in the school~~
34 ~~district of attendance. The county school superintendent of any county~~
35 ~~shall not issue a certificate of educational convenience as provided in~~
36 ~~subsection B of this section if the pupil is placed in the same district~~
37 ~~of the pupil's parents' or legal guardians' residence or if the pupil is~~
38 ~~placed without a court order and the pupil's parents or legal guardians~~
39 ~~are not residents of this state.~~

40 ~~D.~~ B. If a certificate of educational convenience is issued ~~as~~
41 ~~provided in subsection B of this section, or~~ for a pupil whose parent or
42 guardian is employed and domiciled by a state institution as prescribed by
43 section 15-976, tuition may be charged as follows:

44 1. For group B children with disabilities:

1 (a) Who are from unorganized territory, ~~OR~~ OR hose parent or guardian
2 is employed by a state institution as prescribed by section 15-976 ~~or who~~
3 ~~have been issued a certificate of educational convenience pursuant to~~
4 ~~subsection B of this section~~, the superintendent of public instruction
5 shall reimburse the district of attendance for the excess costs as
6 provided in section 15-824, subsection E, paragraph 4.

7 (b) Who are from another school district, the school district of
8 residence shall reimburse the district of attendance for the excess costs
9 as provided in section 15-824, subsection E, paragraph 4.

10 2. For pupils who are precluded from attending a school in this
11 state and who must attend a school in another state:

12 (a) If the pupil resides in a school district in this state, the
13 district of residence shall pay the amount charged by the district of
14 attendance.

15 (b) If the pupil resides in unorganized territory, the
16 superintendent of public instruction shall pay the amount charged by the
17 district of attendance.

18 ~~F.~~ C. The county school superintendent who issues a certificate of
19 educational convenience shall notify the superintendent of public
20 instruction of the issuance of the certificate. The superintendent of
21 public instruction shall draw a warrant in favor of the school district of
22 actual attendance for the amount charged, whether for common or high
23 school attendance, as provided in section 15-824.

24 ~~F.~~ D. The total amount of state monies that may be spent in any
25 fiscal year by the superintendent of public instruction for certificates
26 of educational convenience shall not exceed the amount appropriated or
27 authorized by section 35-173 for that purpose. This section does not
28 impose a duty on an officer, agent or employee of this state to discharge
29 a responsibility or create any right in a person or group if the discharge
30 or right would require an expenditure of state monies in excess of the
31 expenditure authorized by legislative appropriation for that specific
32 purpose.

33 E. EACH COUNTY SCHOOL SUPERINTENDENT SHALL:

34 1. NOT LATER THAN FIVE BUSINESS DAYS AFTER RECEIVING A CERTIFICATE
35 OF EDUCATIONAL CONVENIENCE APPLICATION PURSUANT TO THIS SECTION, EITHER:

36 (a) ISSUE A CERTIFICATE OF EDUCATIONAL CONVENIENCE AUTHORIZING THE
37 PUPIL TO ATTEND THE SCHOOL DISTRICT THAT IS IDENTIFIED IN THE APPLICATION
38 AND NOTIFY THE SCHOOL DISTRICT AND THE PUPIL'S PARENT THAT THE CERTIFICATE
39 HAS BEEN ISSUED.

40 (b) NOTIFY IN WRITING THE SCHOOL DISTRICT THAT IS IDENTIFIED IN THE
41 APPLICATION AND THE PUPIL'S PARENT THAT THE COUNTY SCHOOL SUPERINTENDENT
42 IS NOT ISSUING A CERTIFICATE OF EDUCATIONAL CONVENIENCE FOR THE PUPIL.
43 THE NOTIFICATION REQUIRED BY THIS SUBDIVISION MUST EXPLAIN THE REASON THE
44 COUNTY SCHOOL SUPERINTENDENT IS DECLINING TO ISSUE A CERTIFICATE OF

1 EDUCATIONAL CONVENIENCE AND INSTRUCTIONS FOR CURING DEFICIENCIES IN THE
2 APPLICATION.

3 ~~G. 2. On or before January 1 of each year, each county school~~
4 ~~superintendent shall~~ report to the department of education the total
5 number of certificates of educational convenience that the county school
6 superintendent issued pursuant to subsection A of this section during the
7 previous calendar year ~~and the total number of certificates of educational~~
8 ~~convenience that the county school superintendent issued pursuant to~~
9 ~~subsection B of this section during the previous calendar year.~~

10 3. BEFORE FISCAL YEAR 2027-2028, DEVELOP AND MAKE PUBLICLY
11 AVAILABLE A CERTIFICATE OF EDUCATIONAL CONVENIENCE APPLICATION FORM AND
12 INSTRUCTIONS FOR SUBMITTING THE APPLICATION FORM. A COUNTY SCHOOL
13 SUPERINTENDENT MAY DEVELOP AN ONLINE APPLICATION PORTAL FOR THE PURPOSES
14 OF THIS PARAGRAPH IF THE PORTAL ALLOWS ANY PERSON WHO MAY SUBMIT AN
15 APPLICATION PURSUANT TO THIS SECTION, INCLUDING A SCHOOL DISTRICT, A
16 PUPIL, A PUPIL'S PARENT OR A PUPIL'S LEGAL REPRESENTATIVE, TO SUBMIT AN
17 APPLICATION THROUGH THE PORTAL.

18 4. ON REQUEST FROM A PUPIL OR THE PARENT OF A PUPIL WHO RESIDES IN
19 AN UNORGANIZED TERRITORY, IDENTIFY THE ADJOINING SCHOOL DISTRICT THAT IS
20 GEOGRAPHICALLY CLOSEST TO THE PUPIL'S RESIDENCE.

21 ~~H.~~ F. The department of education shall maintain the reports
22 received under subsection ~~G~~ E, PARAGRAPH 2 of this section AND SHALL POST
23 THE REPORTS ON THE DEPARTMENT'S WEBSITE.

24 G. EACH SCHOOL DISTRICT IN THIS STATE THAT ADJOINS AN UNORGANIZED
25 TERRITORY SHALL:

26 1. INCLUDE A CERTIFICATE OF EDUCATIONAL CONVENIENCE APPLICATION
27 FORM AND INSTRUCTIONS REGARDING SUPPORTING DOCUMENTATION WITH PROOF OF
28 RESIDENCY DOCUMENTATION REQUIREMENTS IN ENROLLMENT PACKETS.

29 2. POST ON THE SCHOOL DISTRICT'S WEBSITE BOTH OF THE FOLLOWING:

30 (a) THE FORM AND INSTRUCTIONS DESCRIBED IN PARAGRAPH 1 OF THIS
31 SUBSECTION.

32 (b) INSTRUCTIONS FOR PARENTS WHO ELECT TO SUBMIT THE APPLICATIONS
33 TO THE COUNTY SCHOOL SUPERINTENDENT.

34 H. ENROLLMENT IS GUARANTEED FOR ANY PUPIL FOR WHOM A CERTIFICATE OF
35 EDUCATIONAL CONVENIENCE IS ISSUED PURSUANT TO THIS SECTION AND IS NOT
36 SUBJECT TO PROGRAMMATIC CAPACITY LIMITATIONS.

37 I. SUBSECTION A OF THIS SECTION DOES NOT PRECLUDE A PUPIL, A
38 PUPIL'S PARENT, A PUPIL'S LEGAL REPRESENTATIVE OR ANY OTHER INTERESTED
39 PARTY FROM SUBMITTING AN APPLICATION FOR A CERTIFICATE OF EDUCATIONAL
40 CONVENIENCE FOR THE PUPIL TO THE COUNTY SCHOOL SUPERINTENDENT.

41 J. FOR THE PURPOSES OF THIS SECTION:

42 1. "CHILD FIND" HAS THE SAME MEANING PRESCRIBED IN SECTION 15-768.

43 2. "FREE APPROPRIATE PUBLIC EDUCATION" HAS THE SAME MEANING
44 PRESCRIBED IN SECTION 15-768.

45 3. "PARENT" HAS THE SAME MEANING PRESCRIBED IN SECTION 15-761.

1 4. "UNORGANIZED TERRITORY" MEANS A GEOGRAPHIC AREA THAT IS NOT
2 LOCATED WITHIN THE BOUNDARIES OF ANY SCHOOL DISTRICT.

3 Sec. 8. Section 15-944, Arizona Revised Statutes, is amended to
4 read:

5 15-944. Base revenue control limit

6 A. The base revenue control limit for each school district for
7 fiscal year 1980-1981 is computed as follows:

8 1. Add the amounts in the fiscal year 1979-1980 budget effective
9 May 15, 1980 for general operating and special education.

10 2. Subtract the following budgeted revenues from the sum obtained
11 in paragraph 1 of this subsection:

12 (a) Tuition paid for attendance of nonresident pupils.

13 (b) State assistance as provided in section 15-976.

14 (c) Special education revenues as provided in section 15-825,
15 subsection ~~A~~ B and section 15-1204.

16 (d) Proceeds from the sale or lease of school property as provided
17 in section 15-1102.

18 3. Add the increase in the base support level from fiscal year
19 1979-1980 to fiscal year 1980-1981 to the difference obtained in paragraph
20 2 of this subsection.

21 B. The equalization factor for each school district is computed as
22 follows:

23 1. Divide the sum obtained in subsection A, paragraph 3 of this
24 section by the base support level for fiscal year 1980-1981.

25 2. Subtract 1.0 from the quotient obtained in paragraph 1 of this
26 subsection to obtain the equalization factor.

27 C. The revenue variation factor for each fiscal year is as follows:

28 1. For fiscal year 1981-1982, 0.80.

29 2. For fiscal year 1982-1983, 0.60.

30 3. For fiscal year 1983-1984, 0.40.

31 4. For fiscal year 1984-1985, 0.20.

32 D. The base revenue control limit for each school district during
33 the five years in which the equalization plan is in operation is computed
34 as follows:

35 1. Multiply the equalization factor by the revenue variation factor
36 for the applicable year. Beginning with fiscal year 1983-1984 if the
37 resulting product is less than negative 0.08, use negative 0.08 for
38 computation purposes as provided in paragraph 2 of this subsection.

39 2. Multiply the product obtained in paragraph 1 of this subsection
40 by the base support level for the applicable year.

41 3. Add the base support level for the applicable year to the
42 product obtained in paragraph 2 of this subsection.

43 E. For fiscal year 1985-1986 and each fiscal year thereafter, the
44 base revenue control limit equals the base support level for the same
45 fiscal year.

1 Sec. 9. Section 15-947, Arizona Revised Statutes, is amended to
2 read:

3 15-947. Revenue control limit; district support level;
4 general budget limit; unrestricted total capital
5 budget limit; district additional assistance limit

6 A. The revenue control limit for a school district is equal to the
7 sum of the base revenue control limit determined in section 15-944 and the
8 transportation revenue control limit determined in section 15-946.

9 B. The district support level for a school district is equal to the
10 sum of the base support level determined in section 15-943 and the
11 transportation support level determined in section 15-945.

12 C. The general budget limit for each school district, for each
13 fiscal year, is the sum of the following:

14 1. The maintenance and operations portion of the revenue control
15 limit for the budget year.

16 2. The maintenance and operation portion of the following amounts:

17 (a) Amounts that are fully funded by revenues other than a levy of
18 taxes on the taxable property within the school district, as listed below:

19 (i) Amounts budgeted as the budget balance carryforward as provided
20 in section 15-943.01.

21 (ii) Tuition revenues for attendance of nonresident pupils.

22 (iii) State assistance as provided in section 15-976.

23 (iv) Special education revenues as provided in section 15-825,
24 subsection ~~D~~ B and section 15-1204.

25 (v) Title VIII of the elementary and secondary education act of
26 1965 assistance determined for children with disabilities, children with
27 specific learning disabilities, children residing on Indian lands and
28 children residing within the boundaries of an accommodation school that is
29 located on a military reservation and that is classified as a heavily
30 impacted local educational agency pursuant to 20 United States Code
31 section 7703 as provided in section 15-905, subsections K and O.

32 (vi) Title VIII of the elementary and secondary education act of
33 1965 administrative costs as provided in section 15-905, subsection P.

34 (vii) State assistance for excess tuition as provided in section
35 15-825.01.

36 (viii) Transportation revenues for attendance of nonresident
37 pupils.

38 (b) Amounts approved pursuant to an override election as provided
39 in section 15-481 for the applicable fiscal year.

40 (c) Amounts authorized by the county school superintendent pursuant
41 to section 15-974, subsection B.

42 (d) Expenditures for complying with a court order of desegregation
43 as provided in section 15-910.

44 (e) Interest on registered warrants or tax anticipation notes as
45 provided in section 15-910.

1 (f) Amounts budgeted for a jointly owned and operated career and
2 technical education and vocational education center as provided in section
3 15-910.01.

4 3. The maintenance and operations portion of district additional
5 assistance for the budget year.

6 4. Any other budget item that is budgeted in the maintenance and
7 operation section of the budget and that is specifically exempt from the
8 revenue control limit or district additional assistance.

9 D. The unrestricted capital budget limit, for each school district
10 for each fiscal year, is the sum of the following:

11 1. The federal impact adjustment as determined in section 15-964
12 for the budget year.

13 2. Any other budget item that is budgeted in the capital outlay
14 section of the budget and that is specifically exempt from district
15 additional assistance.

16 3. The unrestricted capital portion of the amounts contained in
17 subsection C of this section.

18 4. The unexpended budget balance in the unrestricted capital outlay
19 fund from the previous fiscal year.

20 5. The net interest earned in the unrestricted capital outlay fund
21 from the previous fiscal year.

22 Sec. 10. Section 15-976, Arizona Revised Statutes, is amended to
23 read:

24 15-976. Assistance for school districts for children whose
25 parents are employed by certain state institutions;
26 expenditure limitation

27 A. The superintendent of public instruction shall assist school
28 districts in educating children whose parents or legal guardians are
29 employed by and domiciled at the following state institutions and
30 stations: the state hospital, the Arizona state schools for the deaf and
31 the blind, intellectual disability centers, port of entry inspection
32 stations and institutions and facilities maintained by the state
33 department of corrections. The school enrollment is deemed for the
34 purpose of determining student count to be enrollment in the school
35 district of actual attendance. The assistance shall be by payment of
36 tuition as follows:

37 1. For group B children with disabilities, as provided in section
38 15-825, subsection ~~B~~ B.

39 2. For children other than group B children with disabilities, the
40 costs per student count as prescribed in section 15-824, subsection ~~F~~ F
41 minus the amount generated by the equalization base as determined in
42 section 15-971, subsection A for those pupils, except that the tuition for
43 any pupil shall not exceed an amount equal to ~~seven thousand dollars~~
44 \$7,000 minus the amount generated by the equalization base as determined
45 in section 15-971, subsection A.

1 B. Claims for such payments shall be made by the school districts
2 through the county school superintendent to the superintendent of public
3 instruction.

4 C. The total amount of state monies that may be spent in any fiscal
5 year by the superintendent of public instruction pursuant to subsection A
6 of this section shall not exceed the amount appropriated or authorized by
7 section 35-173 for that purpose. This section ~~shall~~ DOES not ~~be construed~~
8 ~~to~~ impose a duty on an officer, agent or employee of this state to
9 discharge a responsibility or ~~to~~ create any right in a person or group if
10 the discharge or right would require an expenditure of state monies in
11 excess of the expenditure authorized by legislative appropriation for that
12 specific purpose.

13 Sec. 11. Section 15-1185, Arizona Revised Statutes, is amended to
14 read:

15 15-1185. School district responsibility; integration into a
16 school

17 A. For a child who is placed in a private residential facility
18 pursuant to this article, the home school district is responsible for
19 reviewing the child's educational progress and planning for integrating
20 the child into a public school when it is educationally appropriate.

21 B. The private residential facility and the state placing agency
22 shall work with the home school district for purposes of integrating the
23 child into a public school when it is educationally appropriate.

24 C. If a child who has been placed in a private residential facility
25 for care, safety or treatment reasons attends a public school in other
26 than the home school district on either a part-time or full-time basis,
27 the residential education voucher terminates ~~and the following apply:~~

28 ~~1. The school district of attendance must apply for a certificate~~
29 ~~of educational convenience as provided in section 15-825, subsection B.~~

30 ~~2. If the child attends school in the residential facility on a~~
31 ~~part-time basis, the school district of attendance must apply for a~~
32 ~~certificate of educational convenience and~~ either provide direct services
33 in the residential facility or contract with the residential facility for
34 that portion of educational services that the private residential facility
35 is to provide.

36 D. If a child who requires residential special education placement
37 is placed outside of the home school district and is able to attend a
38 nonresidential school on a part-time basis, the residential special
39 education placement voucher terminates. The school district of attendance
40 shall ~~apply for a certificate of educational convenience and~~ pay a
41 prorated tuition amount to the private residential facility.