

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SENATE BILL 1047

AN ACT

AMENDING SECTIONS 15-816.01, 15-901, 15-923, 15-945 AND 15-946, ARIZONA
REVISED STATUTES; RELATING TO OPEN SCHOOL ENROLLMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-816.01, Arizona Revised Statutes, is amended to
3 read:

4 15-816.01. Enrollment policies

5 A. School district governing boards shall establish policies and shall
6 implement an open enrollment policy without charging tuition. Tuition may be
7 charged to nonresident pupils only if the tuition is authorized under section
8 15-764, subsection C, section 15-797, subsection C, section 15-823,
9 subsection A, section 15-824, subsection A or section 15-825 or if two school
10 districts have entered into a voluntary agreement for the payment of tuition
11 for certain pupils. These policies shall include admission criteria,
12 application procedures and transportation provisions. A copy of the district
13 policies for open enrollment shall be filed with the department of education.

14 ~~B. The governing board of the district educating the pupil may provide~~
15 ~~transportation limited to no more than twenty miles each way to and from the~~
16 ~~school of attendance or to and from a pickup point on a regular~~
17 ~~transportation route or for the total miles traveled each day to an adjacent~~
18 ~~district for eligible nonresident pupils who meet the economic eligibility~~
19 ~~requirements established under the national school lunch and child nutrition~~
20 ~~acts (42 United States Code sections 1751 through 1785) for free or reduced~~
21 ~~price lunches.~~

22 ~~C.~~ B. The governing board of the district educating the pupil shall
23 provide transportation ~~limited to no more than twenty miles each way to and~~
24 ~~from the school of attendance or to and from a pickup point on a regular~~
25 ~~transportation route or~~ for the total miles traveled each day ~~to an adjacent~~
26 ~~district~~ for nonresident pupils with disabilities whose individualized
27 education program specifies that transportation is necessary for fulfillment
28 of the program. IF THE SCHOOL DISTRICT PROVIDES TRANSPORTATION PURSUANT TO
29 SECTION 15-923, SUBSECTION E, THE DISTRICT SHALL NOT CLAIM ALLOWABLE DAILY
30 ROUTE MILEAGE AND SHALL INSTEAD BE REIMBURSED PURSUANT TO SECTION 15-945,
31 SUBSECTION A, PARAGRAPH 7. A PARENT SHALL BE REIMBURSED ONLY FOR THE ACTUAL
32 MILES TRAVELED IN WHICH THE PUPIL IS IN THE VEHICLE.

33 C. THE GOVERNING BOARD OF THE DISTRICT EDUCATING THE PUPIL MAY PROVIDE
34 TRANSPORTATION FOR THE TOTAL MILES TRAVELED EACH DAY FOR ELIGIBLE NONRESIDENT
35 PUPILS WHO MEET THE ECONOMIC ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER THE
36 NATIONAL SCHOOL LUNCH AND CHILD NUTRITION ACTS (42 UNITED STATES CODE
37 SECTIONS 1751 THROUGH 1785) FOR FREE OR REDUCED PRICE LUNCHES. IF THE SCHOOL
38 DISTRICT PROVIDES TRANSPORTATION PURSUANT TO SECTION 15-923, SUBSECTION E,
39 THE DISTRICT SHALL NOT CLAIM ALLOWABLE DAILY ROUTE MILEAGE AND SHALL INSTEAD
40 BE REIMBURSED PURSUANT TO SECTION 15-945, SUBSECTION A, PARAGRAPH 7. A PARENT
41 SHALL BE REIMBURSED ONLY FOR THE ACTUAL MILES TRAVELED IN WHICH THE PUPIL IS
42 IN THE VEHICLE, OR FORTY MILES, WHICHEVER IS LESS.

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

2 15-901. Definitions

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

4 1. "Average daily attendance" or "ADA" means actual average daily
5 attendance through the first one hundred days or two hundred days in session,
6 as applicable.

7 2. "Average daily membership" means the total enrollment of fractional
8 students and full-time students, minus withdrawals, of each school day
9 through the first one hundred days or two hundred days in session, as
10 applicable, for the current year. Withdrawals include students formally
11 withdrawn from schools and students absent for ten consecutive school days,
12 except for excused absences as identified by the department of education.
13 For computation purposes, the effective date of withdrawal shall be
14 retroactive to the last day of actual attendance of the student.

15 (a) "Fractional student" means:

16 (i) For common schools, until fiscal year 2001-2002, a preschool child
17 who is enrolled in a program for preschool children with disabilities of at
18 least three hundred sixty minutes each week or a kindergarten student at
19 least five years of age prior to January 1 of the school year and enrolled in
20 a school kindergarten program that meets at least three hundred forty-six
21 instructional hours during the minimum number of days required in a school
22 year as provided in section 15-341. In fiscal year 2001-2002, the
23 kindergarten program shall meet at least three hundred forty-eight hours. In
24 fiscal year 2002-2003, the kindergarten program shall meet at least three
25 hundred fifty hours. In fiscal year 2003-2004, the kindergarten program
26 shall meet at least three hundred fifty-two hours. In fiscal year 2004-2005,
27 the kindergarten program shall meet at least three hundred fifty-four hours.
28 In fiscal year 2005-2006 and each fiscal year thereafter, the kindergarten
29 program shall meet at least three hundred fifty-six hours. Lunch periods and
30 recess periods may not be included as part of the instructional hours unless
31 the child's individualized education program requires instruction during
32 those periods and the specific reasons for such instruction are fully
33 documented. In computing the average daily membership, preschool children
34 with disabilities and kindergarten students shall be counted as one-half of a
35 full-time student. For common schools, a part-time student is a student
36 enrolled for less than the total time for a full-time student as defined in
37 this section. A part-time common school student shall be counted as
38 one-fourth, one-half or three-fourths of a full-time student if the student
39 is enrolled in an instructional program that is at least one-fourth, one-half
40 or three-fourths of the time a full-time student is enrolled as defined in
41 subdivision (b) of this paragraph.

42 (ii) For high schools, a part-time student who is enrolled in less
43 than four subjects that count toward graduation as defined by the state board
44 of education in a recognized high school and who is taught in less than
45 twenty instructional hours per week prorated for any week with fewer than

1 five school days. A part-time high school student shall be counted as
2 one-fourth, one-half or three-fourths of a full-time student if the student
3 is enrolled in an instructional program that is at least one-fourth, one-half
4 or three-fourths of a full-time instructional program as defined in
5 subdivision (c) of this paragraph.

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

7 (i) For common schools, a student who is at least six years of age
8 prior to January 1 of a school year, who has not graduated from the highest
9 grade taught in the school district and who is regularly enrolled in a course
10 of study required by the state board of education. Until fiscal year
11 2001-2002, first, second and third grade students, ungraded students at least
12 six, but under nine, years of age by September 1 or ungraded group B children
13 with disabilities who are at least five, but under six, years of age by
14 September 1 must be enrolled in an instructional program that meets for a
15 total of at least six hundred ninety-two hours during the minimum number of
16 days required in a school year as provided in section 15-341. In fiscal year
17 2001-2002, the program shall meet at least six hundred ninety-six hours. In
18 fiscal year 2002-2003, the program shall meet at least seven hundred hours.
19 In fiscal year 2003-2004, the program shall meet at least seven hundred four
20 hours. In fiscal year 2004-2005, the program shall meet at least seven
21 hundred eight hours. In fiscal year 2005-2006 and in each fiscal year
22 thereafter, the program shall meet at least seven hundred twelve hours.
23 Until fiscal year 2001-2002, fourth, fifth and sixth grade students or
24 ungraded students at least nine, but under twelve, years of age by September
25 1 must be enrolled in an instructional program that meets for a total of at
26 least eight hundred sixty-five hours during the minimum number of school days
27 required in a school year as provided in section 15-341. In fiscal year
28 2001-2002, the program shall meet at least eight hundred seventy hours. In
29 fiscal year 2002-2003, the program shall meet at least eight hundred
30 seventy-five hours. In fiscal year 2003-2004, the program shall meet at least
31 eight hundred eighty hours. In fiscal year 2004-2005, the program shall meet
32 at least eight hundred eighty-five hours. In fiscal year 2005-2006 and each
33 fiscal year thereafter, the program shall meet at least eight hundred ninety
34 hours. Until fiscal year 2001-2002, seventh and eighth grade students or
35 ungraded students at least twelve, but under fourteen, years of age by
36 September 1 must be enrolled in an instructional program that meets for a
37 total of at least one thousand thirty-eight hours during the minimum number
38 of days required in a school year as provided in section 15-341. In fiscal
39 year 2001-2002, the program shall meet at least one thousand forty-four
40 hours. In fiscal year 2002-2003, the program shall meet at least one
41 thousand fifty hours. In fiscal year 2003-2004, the program shall meet at
42 least one thousand fifty-six hours. In fiscal year 2004-2005, the program
43 shall meet at least one thousand sixty-two hours. In fiscal year 2005-2006
44 and each fiscal year thereafter, the program shall meet at least one thousand
45 sixty-eight hours. Lunch periods and recess periods may not be included as

1 part of the instructional hours unless the student is a child with a
2 disability and the child's individualized education program requires
3 instruction during those periods and the specific reasons for such
4 instruction are fully documented.

5 (ii) For high schools, except as provided in section 15-105, a student
6 not graduated from the highest grade taught in the school district, or an
7 ungraded student at least fourteen years of age by September 1, and enrolled
8 in at least a full-time instructional program of subjects that count toward
9 graduation as defined by the state board of education in a recognized high
10 school. A full-time student shall not be counted more than once for
11 computation of average daily membership.

12 (iii) For homebound or hospitalized, a student receiving at least four
13 hours of instruction per week.

14 (c) "Full-time instructional program" means:

15 (i) Through fiscal year 2000-2001, at least four subjects, each of
16 which, if taught each school day for the minimum number of days required in a
17 school year, would meet a minimum of one hundred twenty hours a year, or the
18 equivalent, or one or more subjects taught in amounts of time totaling at
19 least twenty hours per week prorated for any week with fewer than five school
20 days.

21 (ii) For fiscal year 2001-2002, an instructional program that meets at
22 least a total of seven hundred four hours during the minimum number of days
23 required and includes at least four subjects each of which, if taught each
24 school day for the minimum number of days required in a school year, would
25 meet a minimum of one hundred twenty-two hours a year, or the equivalent, or
26 one or more subjects taught in amounts of time totaling at least twenty hours
27 per week prorated for any week with fewer than five school days.

28 (iii) For fiscal year 2002-2003, an instructional program that meets
29 at least a total of seven hundred eight hours during the minimum number of
30 days required and includes at least four subjects each of which, if taught
31 each school day for the minimum number of days required in a school year,
32 would meet a minimum of one hundred twenty-two hours a year, or the
33 equivalent, or one or more subjects taught in amounts of time totaling at
34 least twenty hours per week prorated for any week with fewer than five school
35 days.

36 (iv) For fiscal year 2003-2004, an instructional program that meets at
37 least a total of seven hundred twelve hours during the minimum number of days
38 required and includes at least four subjects each of which, if taught each
39 school day for the minimum number of days required in a school year, would
40 meet a minimum of one hundred twenty-three hours a year, or the equivalent,
41 or one or more subjects taught in amounts of time totaling at least twenty
42 hours per week prorated for any week with fewer than five school days.

1 (v) For fiscal year 2004-2005, an instructional program that meets at
2 least a total of seven hundred sixteen hours during the minimum number of
3 days required and includes at least four subjects each of which, if taught
4 each school day for the minimum number of days required in a school year,
5 would meet a minimum of one hundred twenty-three hours a year, or the
6 equivalent, or one or more subjects taught in amounts of time totaling at
7 least twenty hours per week prorated for any week with fewer than five school
8 days.

9 (vi) For fiscal year 2005-2006 and each fiscal year thereafter, an
10 instructional program that meets at least a total of seven hundred twenty
11 hours during the minimum number of days required and includes at least four
12 subjects each of which, if taught each school day for the minimum number of
13 days required in a school year, would meet a minimum of one hundred
14 twenty-three hours a year, or the equivalent, or one or more subjects taught
15 in amounts of time totaling at least twenty hours per week prorated for any
16 week with fewer than five school days.

17 3. "Budget year" means the fiscal year for which the school district
18 is budgeting and which immediately follows the current year.

19 4. "Common school district" means a political subdivision of this
20 state offering instruction to students in programs for preschool children
21 with disabilities and kindergarten programs and grades one through eight.

22 5. "Current year" means the fiscal year in which a school district is
23 operating.

24 6. "Daily attendance" means:

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

26 (i) Of a kindergarten program or ungraded, but not group B children
27 with disabilities, and at least five, but under six, years of age by
28 September 1 attends at least three-quarters of the instructional time
29 scheduled for the day. If the total instruction time scheduled for the year
30 is at least three hundred forty-six hours but is less than six hundred
31 ninety-two hours such attendance shall be counted as one-half day of
32 attendance. If the instructional time scheduled for the year is at least six
33 hundred ninety-two hours, "daily attendance" means days in which a pupil
34 attends at least one-half of the instructional time scheduled for the
35 day. Such attendance shall be counted as one-half day of attendance.

36 (ii) Of the first, second or third grades, ungraded and at least six,
37 but under nine, years of age by September 1 or ungraded group B children with
38 disabilities and at least five, but under six, years of age by September 1
39 attends more than three-quarters of the instructional time scheduled for the
40 day.

41 (iii) Of the fourth, fifth or sixth grades or ungraded and at least
42 nine, but under twelve, years of age by September 1 attends more than
43 three-quarters of the instructional time scheduled for the day, except as
44 provided in section 15-797.

1 (iv) Of the seventh or eighth grades or ungraded and at least twelve,
2 but under fourteen, years of age by September 1 attends more than
3 three-quarters of the instructional time scheduled for the day, except as
4 provided in section 15-797.

5 (b) For common schools, the attendance of a pupil at three-quarters or
6 less of the instructional time scheduled for the day shall be counted as
7 follows, except as provided in section 15-797 and except that attendance for
8 a fractional student shall not exceed the pupil's fractional membership:

9 (i) If attendance for all pupils in the school is based on quarter
10 days, the attendance of a pupil shall be counted as one-fourth of a day's
11 attendance for each one-fourth of full-time instructional time attended.

12 (ii) If attendance for all pupils in the school is based on half days,
13 the attendance of at least three-quarters of the instructional time scheduled
14 for the day shall be counted as a full day's attendance and attendance at a
15 minimum of one-half but less than three-quarters of the instructional time
16 scheduled for the day equals one-half day of attendance.

17 (c) For common schools, the attendance of a preschool child with
18 disabilities shall be counted as one-fourth day's attendance for each
19 thirty-six minutes of attendance not including lunch periods and recess
20 periods, except as provided in paragraph 2, subdivision (a), item (i) of this
21 subsection for children with disabilities up to a maximum of three hundred
22 sixty minutes each week.

23 (d) For high schools or ungraded schools in which the pupil is at
24 least fourteen years of age by September 1, the attendance of a pupil shall
25 not be counted as a full day unless the pupil is actually and physically in
26 attendance and enrolled in and carrying four subjects, each of which, if
27 taught each school day for the minimum number of days required in a school
28 year, would meet a minimum of one hundred twenty hours a year, or the
29 equivalent, that count toward graduation in a recognized high school except
30 as provided in section 15-797 and subdivision (e) of this paragraph.
31 Attendance of a pupil carrying less than the load prescribed shall be
32 prorated.

33 (e) For high schools or ungraded schools in which the pupil is at
34 least fourteen years of age by September 1, the attendance of a pupil may be
35 counted as one-fourth of a day's attendance for each sixty minutes of
36 instructional time in a subject that counts toward graduation, except that
37 attendance for a pupil shall not exceed the pupil's full or fractional
38 membership.

39 (f) For homebound or hospitalized, a full day of attendance may be
40 counted for each day during a week in which the student receives at least
41 four hours of instruction.

42 (g) For school districts which maintain school for an approved
43 year-round school year operation, attendance shall be based on a computation,
44 as prescribed by the superintendent of public instruction, of the one hundred
45 eighty days' equivalency or two hundred days' equivalency, as applicable, of

1 instructional time as approved by the superintendent of public instruction
2 during which each pupil is enrolled.

3 7. "Daily route mileage" means the sum of:

4 (a) The total number of miles driven daily by all buses of a school
5 district while transporting eligible students from their residence to the
6 school of attendance and from the school of attendance to their residence on
7 scheduled routes approved by the superintendent of public instruction **OR THE**
8 **TOTAL ALLOWABLE NUMBER OF MILES PURSUANT TO SECTION 15-816.01.**

9 (b) The total number of miles driven daily on routes approved by the
10 superintendent of public instruction for which a private party, a political
11 subdivision or a common or a contract carrier is reimbursed for bringing an
12 eligible student from the place of his residence to a school transportation
13 pickup point or to the school of attendance and from the school
14 transportation scheduled return point or from the school of attendance to his
15 residence. Daily route mileage includes the total number of miles necessary
16 to drive to transport eligible students from and to their residence as
17 provided in this paragraph **OR THE TOTAL ALLOWABLE NUMBER OF MILES PURSUANT TO**
18 **SECTION 15-816.01.**

19 8. "District support level" means the base support level plus the
20 transportation support level.

21 9. "Eligible students" means:

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

26 (i) For common school students, whose place of actual residence within
27 the school district is more than one mile from the school facility of
28 attendance or students who are admitted pursuant to section 15-816.01 ~~and who~~
29 ~~meet the economic eligibility requirements established under the national~~
30 ~~school lunch and child nutrition acts (42 United States Code sections 1751~~
31 ~~through 1785) for free or reduced price lunches and whose actual place of~~
32 ~~residence outside the school district boundaries is more than one mile from~~
33 ~~the school facility of attendance.~~

34 (ii) For high school students, whose place of actual residence within
35 the school district is more than one and one-half miles from the school
36 facility of attendance or students who are admitted pursuant to section
37 15-816.01 ~~and who meet the economic eligibility requirements established~~
38 ~~under the national school lunch and child nutrition acts (42 United States~~
39 ~~Code sections 1751 through 1785) for free or reduced price lunches and whose~~
40 ~~actual place of residence outside the school district boundaries is more than~~
41 ~~one and one-half miles from the school facility of attendance.~~

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

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

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

10 10. "Enrolled" or "enrollment" means when a pupil is currently
11 registered in the school district.

12 11. "GDP price deflator" means the average of the four implicit price
13 deflators for the gross domestic product reported by the United States
14 department of commerce for the four quarters of the calendar year.

15 12. "High school district" means a political subdivision of this state
16 offering instruction to students for grades nine through twelve or that
17 portion of the budget of a common school district which is allocated to
18 teaching high school subjects with permission of the state board of
19 education.

20 13. "Revenue control limit" means the base revenue control limit plus
21 the transportation revenue control limit.

22 14. "Student count" means average daily membership as prescribed in
23 this subsection for the fiscal year prior to the current year, except that
24 for the purpose of budget preparation student count means average daily
25 membership as prescribed in this subsection for the current year.

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

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

30 17. "Total students transported" means all eligible students
31 transported from their place of residence to a school transportation pickup
32 point or to the school of attendance and from the school of attendance or
33 from the school transportation scheduled return point to their place of
34 residence.

35 18. "Unified school district" means a political subdivision of the
36 state offering instruction to students in programs for preschool children
37 with disabilities and kindergarten programs and grades one through twelve.

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

39 1. "Base" means the revenue level per student count specified by the
40 legislature.

41 2. "Base level" means:

42 (a) For fiscal year 2006-2007, three thousand one hundred thirty-three
43 dollars fifty-three cents.

44 (b) For fiscal year 2007-2008, three thousand two hundred twenty-six
45 dollars eighty-eight cents.

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

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

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

10 6. "ED, MIMR, SLD, SLI and OHI" means programs for children with
11 emotional disabilities, mild mental retardation, a specific learning
12 disability, a speech/language impairment and other health impairments.

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

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

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

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

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

28 10. "Group A" means educational programs for career exploration, a
29 specific learning disability, an emotional disability, mild mental
30 retardation, remedial education, a speech/language impairment, homebound,
31 bilingual, preschool moderate delay, preschool speech/language delay, other
32 health impairments and gifted pupils.

33 11. "Group B" means educational improvements for pupils in kindergarten
34 programs and grades one through three, educational programs for autism, a
35 hearing impairment, moderate mental retardation, multiple disabilities,
36 multiple disabilities with severe sensory impairment, orthopedic impairments,
37 preschool severe delay, severe mental retardation and emotional disabilities
38 for school age pupils enrolled in private special education programs or in
39 school district programs for children with severe disabilities or visual
40 impairment and English learners enrolled in a program to promote English
41 language proficiency pursuant to section 15-752.

42 12. "HI" means programs for pupils with hearing impairment.

43 13. "Homebound" or "hospitalized" means a pupil who is capable of
44 profiting from academic instruction but is unable to attend school due to
45 illness, disease, accident or other health conditions, who has been examined

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

15 14. "K" means kindergarten programs.

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

17 16. "MD-R, A-R and SMR-R" means resource programs for pupils with
18 multiple disabilities, autism and severe mental retardation.

19 17. "MD-SC, A-SC and SMR-SC" means self-contained programs for pupils
20 with multiple disabilities, autism and severe mental retardation.

21 18. "MDSSI" means a program for pupils with multiple disabilities with
22 severe sensory impairment.

23 19. "MOMR" means programs for pupils with moderate mental retardation.

24 20. "OI-R" means a resource program for pupils with orthopedic
25 impairments.

26 21. "OI-SC" means a self-contained program for pupils with orthopedic
27 impairments.

28 22. "PSD" means preschool programs for children with disabilities as
29 provided in section 15-771.

30 23. "P-SD" means programs for children who meet the definition of
31 preschool severe delay as provided in section 15-771.

32 24. "Qualifying tax rate" means the qualifying tax rate specified in
33 section 15-971 applied to the assessed valuation used for primary property
34 taxes.

35 25. "Small isolated school district" means a school district which
36 meets all of the following:

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

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

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

1 26. "Small school district" means a school district which meets all of
2 the following:

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

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

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

10 27. "Transportation revenue control limit" means the transportation
11 revenue control limit computed as prescribed in section 15-946.

12 28. "Transportation support level" means the support level for pupil
13 transportation operating expenses as provided in section 15-945.

14 29. "VI" means programs for pupils with visual impairments.

15 30. "Voc. Ed." means career and technical education and vocational
16 education programs, as defined in section 15-781.

17 Sec. 3. Section 15-923, Arizona Revised Statutes, is amended to read:
18 15-923. Contracts for transportation

19 A. As an alternative to maintaining and operating a transportation
20 program or in conjunction with a transportation program, a school district
21 may, if it is found to be economically advantageous, contract for
22 transportation. Contracts may be with another political subdivision, ~~OR a~~
23 common or contract carrier ~~or a private party~~ OR AS PROVIDED IN SUBSECTION E
24 OF THIS SECTION.

25 B. In addition to other powers and duties prescribed by title 11,
26 chapter 2, article 4, any board of supervisors may at the request of any or
27 all of the governing boards of the school districts within the county provide
28 necessary student transportation. If the board of supervisors and the
29 governing board or boards of such school districts mutually agree that such
30 an arrangement is economically advantageous, the governing board of the
31 school district is authorized to sell or lease its bus or buses to the board
32 of supervisors for such purposes. Agreement between the parties shall be by
33 written contract.

34 C. In no event shall an eligible student who is transported part by
35 contract and part by school district transportation facilities be counted as
36 more than one eligible student.

37 D. Each school district shall submit electronically to the department
38 of education the routes contracted, the contractor contract information, the
39 number of eligible students transported by each contractor and any additional
40 information requested by the department of education.

41 E. A SCHOOL DISTRICT MAY CONTRACT WITH THE PARENT OF A PUPIL TO
42 PROVIDE TRANSPORTATION IN PRIVATELY OPERATED VEHICLES, OR A PARENT WHO MAKES
43 ARRANGEMENTS WITH OTHER PRIVATE PERSONS TO PROVIDE TRANSPORTATION IN
44 PRIVATELY OPERATED VEHICLES, TO AND FROM SCHOOL FOR THE PARENT'S OWN
45 CHILDREN. A SCHOOL DISTRICT SHALL REIMBURSE A PARENT PURSUANT TO THIS SECTION

FOR THE MILES IN WHICH THE PUPIL IS IN THE VEHICLE IN AN AMOUNT NOT TO EXCEED THE PER MILE AMOUNT SET BY THE DEPARTMENT OF ADMINISTRATION FOR STATE TRAVEL FOR MOTOR VEHICLES PURSUANT TO SECTION 38-623.

Sec. 4. Section 15-945, Arizona Revised Statutes, is amended to read:

15-945. Transportation support level

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

1. Determine the approved daily route mileage of the school district for the fiscal year prior to the current year. THE MILEAGE ATTRIBUTABLE TO A PARENT WHO PROVIDES TRANSPORTATION FOR THE PARENT'S OWN CHILDREN PURSUANT TO SECTION 15-816.01 OR SECTION 15-923 SHALL NOT BE COUNTED AS APPROVED DAILY ROUTE MILEAGE.

2. Multiply the figure obtained in paragraph 1 of this subsection by one hundred eighty.

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

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

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

<u>Column 1</u>	<u>Column 2</u>
Approved Daily Route Mileage per Eligible Student Transported	State Support Level per Route Mile for Fiscal Year 2007-2008
0.5 or less	\$2.23
More than 0.5 through 1.0	\$1.81
More than 1.0	\$2.23

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

7. ADD THE AMOUNT SPENT DURING THE PRIOR FISCAL YEAR FOR REIMBURSEMENTS PROVIDED TO A PARENT WHO PROVIDES TRANSPORTATION IN PRIVATELY OPERATED VEHICLES, OR WHO MAKES ARRANGEMENTS WITH OTHER PRIVATE PERSONS TO PROVIDE TRANSPORTATION IN PRIVATELY OPERATED VEHICLES, TO AND FROM SCHOOL FOR THE PARENT'S OWN CHILDREN, PURSUANT TO SECTION 15-923, SUBSECTION E.

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

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

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

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

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

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

1. Determine the sum of the following:

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

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

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

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

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

4 Sec. 5. Section 15-946, Arizona Revised Statutes, is amended to read:

5 15-946. Transportation revenue control limit

6 A. The transportation revenue control limit for each school district
7 for the fiscal years 1985-1986, 1986-1987 and 1987-1988 is computed as
8 follows:

9 1. Determine the adopted operational expenditure budget for pupil
10 transportation for the fiscal year 1984-1985 effective January 1, 1985.

11 2. Determine the transportation revenue control limit for the school
12 district for the fiscal year 1984-1985 as provided in this section before
13 April 18, 1985.

14 3. If the school district's transportation revenue control limit for
15 the fiscal year 1984-1985 as provided in paragraph 2 of this subsection is
16 equal to or greater than the amount determined in paragraph 1 of this
17 subsection, the transportation revenue control limit for the fiscal year
18 1985-1986 is the change in the transportation support level from the fiscal
19 year 1984-1985 to the fiscal year 1985-1986 plus the transportation revenue
20 control limit for the fiscal year 1984-1985 as provided in paragraph 2 of
21 this subsection. For the fiscal years 1986-1987 and 1987-1988 the
22 transportation revenue control limit is the transportation revenue control
23 limit for the current year plus the change in the transportation support
24 level for the current year to the budget year.

25 4. If the school district's transportation revenue control limit for
26 the fiscal year 1984-1985 as provided in paragraph 2 of this subsection is
27 less than the amount determined in paragraph 1 of this subsection, the
28 transportation revenue control limit for the fiscal year 1985-1986 is the sum
29 of the following:

30 (a) The transportation revenue control limit for the school district
31 for the fiscal year 1984-1985 as provided in paragraph 2 of this subsection.

32 (b) The change in the transportation support level from the fiscal
33 year 1984-1985 to the fiscal year 1985-1986.

34 (c) One-third of the amount obtained by subtracting the transportation
35 revenue control limit for fiscal year 1984-1985 as provided in paragraph 2 of
36 this subsection from the amount determined in paragraph 1 of this subsection.

37 5. If the transportation revenue control limit of the school district
38 for the fiscal year 1984-1985 as provided in paragraph 2 of this subsection
39 is less than the amount determined in paragraph 1 of this subsection, the
40 transportation revenue control limit for the fiscal years 1986-1987 and
41 1987-1988 is the sum of the following:

42 (a) The transportation revenue control limit for the current year.

43 (b) The change in the transportation support level from the current
44 year to the budget year.

1 (c) One-third of the amount obtained by subtracting the transportation
2 revenue control limit for the fiscal year 1984-1985 as provided in paragraph
3 2 of this subsection from the amount determined in paragraph 1 of this
4 subsection.

5 B. The transportation revenue control limit for each school district
6 for the fiscal year 1988-1989 and each year thereafter shall be the
7 transportation revenue control limit for the current year ~~plus the increase~~
8 ~~in~~ ADJUSTED FOR THE CHANGE IN the transportation support level from the
9 current year to the budget year, except that for fiscal year 2006-2007 and
10 for each fiscal year thereafter, the transportation revenue control limit
11 shall not increase if the transportation revenue control limit is more than
12 one hundred twenty per cent of the transportation support level. For a
13 school district that sponsors a charter school, its transportation revenue
14 control limit for the budget year shall be calculated as follows:

15 1. Calculate separately, as prescribed by the department of education,
16 the total transportation support level for the current year for all charter
17 schools under the district's sponsorship in the current year.

18 2. Calculate separately, as prescribed by the department of education,
19 the total transportation support level for the budget year for all charter
20 schools under the district's sponsorship in the budget year.

21 3. Subtract the amount determined in paragraph 2 of this subsection
22 from the amount determined in paragraph 1 of this subsection. If the result
23 is zero or less, use zero in paragraph 4 of this subsection.

24 4. Subtract the amount determined in paragraph 3 of this subsection
25 from the district's transportation revenue control limit for the current
26 year. This is the adjusted transportation revenue control limit for the
27 current year.

28 5. The transportation revenue control limit for the budget year is the
29 adjusted transportation revenue control limit for the current year determined
30 in paragraph 4 of this subsection plus the increase in the transportation
31 support level from the current year to the budget year.

32 C. Notwithstanding subsection B, if the transportation support level
33 of a school district exceeds the transportation revenue control limit in any
34 budget year, the transportation revenue control limit shall be adjusted in
35 that budget year and every budget year thereafter to equal the transportation
36 support level.