

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SENATE BILL 1069

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-105; AMENDING SECTIONS 15-901 AND 15-1855, ARIZONA REVISED STATUTES; RELATING TO EDUCATION PROGRAMS.

(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 1, article 1, Arizona Revised Statutes,
3 is amended by adding section 15-105, to read:

4 15-105. Early graduation scholarship program; fund; program
5 termination; definition

6 A. EACH SCHOOL DISTRICT OR CHARTER SCHOOL THAT PROVIDES INSTRUCTION IN
7 GRADES NINE THROUGH TWELVE IN THIS STATE SHALL PARTICIPATE IN AN EARLY
8 GRADUATION SCHOLARSHIP PROGRAM.

9 B. THE COMMISSION FOR POSTSECONDARY EDUCATION SHALL DEVELOP
10 APPLICATION FORMS, PROCEDURES AND DEADLINES TO IMPLEMENT AND ADMINISTER THE
11 EARLY GRADUATION SCHOLARSHIP PROGRAM AND SELECT ELIGIBLE STUDENTS EACH YEAR
12 FOR PARTICIPATION IN THE EARLY GRADUATION SCHOLARSHIP PROGRAM. THE SCHOOL
13 DISTRICT OR CHARTER SCHOOL THAT THE STUDENT ATTENDS SHALL ASSIST AND
14 COOPERATE WITH THE COMMISSION FOR POSTSECONDARY EDUCATION IN DETERMINING THE
15 ELIGIBILITY OF THE STUDENT TO PARTICIPATE IN THE EARLY GRADUATION SCHOLARSHIP
16 PROGRAM.

17 C. PARTICIPATING FULL-TIME STUDENTS SHALL RECEIVE A SCHOLARSHIP GRANT
18 IN AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS OR THE ACTUAL COST OF
19 TUITION, BOOKS AND FEES, WHICHEVER IS LESS, IN THE FIRST ACADEMIC YEAR OF
20 POSTSECONDARY INSTRUCTION, AND AN AMOUNT NOT TO EXCEED FIVE HUNDRED DOLLARS
21 OR THE ACTUAL COST OF TUITION, BOOKS AND FEES, WHICHEVER IS LESS, IN THE
22 SECOND ACADEMIC YEAR OF POSTSECONDARY INSTRUCTION, TO BE USED TO PAY ALL OR A
23 PORTION OF THE TUITION AND FEES CHARGED AT A QUALIFYING SCHOOL FOR A MAXIMUM
24 OF TWO FISCAL YEARS, WHICH MUST BE COMPLETED WITHIN THIRTY-SIX MONTHS AFTER
25 THE STUDENT'S ACTUAL GRADUATION DATE FROM HIGH SCHOOL. THE AMOUNT OF A
26 SCHOLARSHIP GRANT AWARDED TO A PARTICIPATING PART-TIME STUDENT ENROLLED IN AT
27 LEAST SIX CREDIT HOURS SHALL BE PRORATED IN ACCORDANCE WITH THE PART-TIME
28 STATUS OF THE STUDENT.

29 D. A STUDENT WHO PROVIDES SATISFACTORY PROOF TO THE COMMISSION FOR
30 POSTSECONDARY EDUCATION THAT THE STUDENT HAS MET ALL OF THE FOLLOWING
31 CRITERIA IS ELIGIBLE TO SUBMIT AN APPLICATION FOR CONSIDERATION FOR A
32 SCHOLARSHIP GRANT UNDER THE EARLY GRADUATION SCHOLARSHIP PROGRAM:

33 1. THE STUDENT HAS GRADUATED FROM A PUBLIC HIGH SCHOOL THAT IS PART OF
34 A SCHOOL DISTRICT OR A CHARTER SCHOOL IN THIS STATE AT LEAST ONE SEMESTER
35 EARLIER THAN THE STUDENT'S CLASS IS SCHEDULED TO GRADUATE.

36 2. THE STUDENT HAS ACHIEVED A PASSING SCORE ON EACH COMPONENT OF THE
37 ARIZONA INSTRUMENT TO MEASURE STANDARDS TEST THAT IS REQUIRED FOR GRADUATION
38 FROM HIGH SCHOOL.

39 3. THE STUDENT IS CURRENTLY A RESIDENT OF THIS STATE AND HAS BEEN A
40 RESIDENT OF THIS STATE FOR AT LEAST THE PAST TWELVE MONTHS.

41 4. THE STUDENT SUBMITS A STATEMENT FROM THE QUALIFYING SCHOOL THAT
42 DETAILS THE COST OF TUITION, BOOKS AND FEES FOR THAT STUDENT.

43 E. THE SCHOOL DISTRICT OR CHARTER SCHOOL FROM WHICH THE STUDENT
44 GRADUATED SHALL INCLUDE THE STUDENT WHO GRADUATES EARLY IN THE SCHOOL
45 DISTRICT'S OR CHARTER SCHOOL'S STUDENT COUNT UNTIL THE STUDENT'S CLASS IS

1 SCHEDULED TO GRADUATE AND SHALL CONTINUE TO RECEIVE PER PUPIL FUNDING MINUS
2 TWO THOUSAND DOLLARS FOR A STUDENT WHO GRADUATES EARLY UNTIL THE STUDENT'S
3 CLASS IS SCHEDULED TO GRADUATE. THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL
4 PLACE THE PER PUPIL FUNDING RECEIVED IN THE SCHOOL DISTRICT'S OR CHARTER
5 SCHOOL'S MAINTENANCE AND OPERATIONS FUND.

6 F. THE DEPARTMENT OF EDUCATION SHALL DEPOSIT TWO THOUSAND DOLLARS OF
7 THE AMOUNT OF PER PUPIL FUNDING PROVIDED TO A SCHOOL DISTRICT OR CHARTER
8 SCHOOL FOR A STUDENT WHO GRADUATES EARLY IN THE EARLY GRADUATION SCHOLARSHIP
9 FUND ESTABLISHED BY THIS SECTION. THE COMMISSION FOR POSTSECONDARY EDUCATION
10 SHALL MAKE AWARDS FROM THE EARLY GRADUATION SCHOLARSHIP FUND FOR PAYMENT OF
11 TUITION, BOOKS AND FEES AT QUALIFYING SCHOOLS TO STUDENTS WHO ARE SELECTED TO
12 PARTICIPATE IN THE EARLY GRADUATION SCHOLARSHIP PROGRAM. THE COMMISSION FOR
13 POSTSECONDARY EDUCATION SHALL PROVIDE A SCHOLARSHIP TO THE ELIGIBLE STUDENT
14 WHO SHALL IMMEDIATELY RESTRICTIVELY ENDORSE THE SCHOLARSHIP TO THE QUALIFYING
15 SCHOOL.

16 G. IF THE AMOUNT OF MONIES AVAILABLE FOR SCHOLARSHIP GRANTS IN ANY
17 FISCAL YEAR IS INSUFFICIENT TO PROVIDE SCHOLARSHIP GRANTS TO ALL ELIGIBLE
18 APPLICANTS, THE COMMISSION FOR POSTSECONDARY EDUCATION SHALL AWARD
19 SCHOLARSHIP GRANTS TO ELIGIBLE STUDENTS IN THE ORDER IN WHICH THE
20 APPLICATIONS WERE RECEIVED BY THE COMMISSION, EXCEPT THAT PRIORITY SHALL BE
21 GIVEN TO QUALIFYING STUDENTS WHO RECEIVED A SCHOLARSHIP GRANT IN THE PREVIOUS
22 FISCAL YEAR AND WHO ARE STILL IN GOOD ACADEMIC STANDING AT THE SAME
23 QUALIFYING SCHOOL OR WHO TRANSFERRED TO A DIFFERENT QUALIFYING SCHOOL BUT
24 REMAIN IN GOOD ACADEMIC STANDING AT THE PREVIOUS QUALIFYING SCHOOL. THE
25 COMMISSION FOR POSTSECONDARY EDUCATION SHALL MAINTAIN A WAITING LIST FOR ALL
26 OTHER APPLICANTS.

27 H. A QUALIFYING SCHOOL SHALL NOTIFY THE COMMISSION FOR POSTSECONDARY
28 EDUCATION IF A STUDENT WHO HAS RECEIVED A SCHOLARSHIP GRANT IS NO LONGER IN
29 GOOD ACADEMIC STANDING AT THE QUALIFYING SCHOOL OR IS NO LONGER ENROLLED AT
30 THE QUALIFYING SCHOOL. THE STUDENT SHALL REIMBURSE THE EARLY GRADUATION
31 SCHOLARSHIP FUND FOR ANY SCHOLARSHIP GRANT RECEIVED PURSUANT TO SUBSECTION C
32 OF THIS SECTION IF THE STUDENT IS NO LONGER IN GOOD ACADEMIC STANDING AT THE
33 QUALIFYING SCHOOL OR IS NO LONGER ENROLLED AT THE QUALIFYING SCHOOL. THE
34 COMMISSION FOR POSTSECONDARY EDUCATION MAY WAIVE THE REIMBURSEMENT
35 REQUIREMENTS OF THIS SUBSECTION FOR GOOD CAUSE SHOWN. A STUDENT SHALL
36 PROVIDE PROOF THAT THE STUDENT COMPLETED THE FIRST YEAR IN GOOD ACADEMIC
37 STANDING FROM THE QUALIFYING SCHOOL TO THE COMMISSION FOR POSTSECONDARY
38 EDUCATION BEFORE RECEIVING MONIES FOR THE SECOND YEAR FROM THE EARLY
39 GRADUATION SCHOLARSHIP FUND.

40 I. A STUDENT THAT RECEIVES AN EARLY GRADUATION SCHOLARSHIP GRANT SHALL
41 BE ALLOWED TO BOTH:

- 42 1. PARTICIPATE AT NO COST TO THE STUDENT IN EXTRACURRICULAR ACTIVITIES
43 UNTIL THE STUDENT'S HIGH SCHOOL CLASS IS SCHEDULED TO GRADUATE.
- 44 2. PARTICIPATE AT NO COST TO THE STUDENT IN THE STUDENT'S HIGH SCHOOL
45 CLASS GRADUATION CEREMONIES.

1 J. THE EARLY GRADUATION SCHOLARSHIP FUND IS ESTABLISHED CONSISTING OF
2 MONIES DEPOSITED PURSUANT TO SUBSECTION F OF THIS SECTION. THE COMMISSION
3 FOR POSTSECONDARY EDUCATION SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE
4 CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF SECTION
5 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE COMMISSION MAY RETAIN UP
6 TO FIVE PER CENT OF THE MONIES IN THE FUND FOR ADMINISTRATIVE COSTS.

7 K. THE PROGRAM ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2017
8 PURSUANT TO SECTION 41-3102.

9 L. FOR THE PURPOSES OF THIS SECTION, "QUALIFYING SCHOOL" MEANS A
10 REGIONALLY OR NATIONALLY ACCREDITED PUBLIC OR PRIVATE POSTSECONDARY
11 EDUCATIONAL INSTITUTION OR A REGIONALLY OR NATIONALLY ACCREDITED VOCATIONAL
12 PROGRAM IN THIS STATE.

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

14 15-901. Definitions

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

16 1. "Average daily attendance" or "ADA" means actual average daily
17 attendance through the first one hundred days or two hundred days in session,
18 as applicable.

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

27 (a) "Fractional student" means:

28 (i) For common schools, until fiscal year 2001-2002, a preschool child
29 who is enrolled in a program for preschool children with disabilities of at
30 least three hundred sixty minutes each week or a kindergarten student at
31 least five years of age prior to January 1 of the school year and enrolled in
32 a school kindergarten program that meets at least three hundred forty-six
33 instructional hours during the minimum number of days required in a school
34 year as provided in section 15-341. In fiscal year 2001-2002, the
35 kindergarten program shall meet at least three hundred forty-eight hours. In
36 fiscal year 2002-2003, the kindergarten program shall meet at least three
37 hundred fifty hours. In fiscal year 2003-2004, the kindergarten program
38 shall meet at least three hundred fifty-two hours. In fiscal year 2004-2005,
39 the kindergarten program shall meet at least three hundred fifty-four hours.
40 In fiscal year 2005-2006 and each fiscal year thereafter, the kindergarten
41 program shall meet at least three hundred fifty-six hours. Lunch periods and
42 recess periods may not be included as part of the instructional hours unless
43 the child's individualized education program requires instruction during
44 those periods and the specific reasons for such instruction are fully
45 documented. In computing the average daily membership, preschool children

1 with disabilities and kindergarten students shall be counted as one-half of a
2 full-time student. For common schools, a part-time student is a student
3 enrolled for less than the total time for a full-time student as defined in
4 this section. A part-time common school student shall be counted as
5 one-fourth, one-half or three-fourths of a full-time student if the student
6 is enrolled in an instructional program that is at least one-fourth, one-half
7 or three-fourths of the time a full-time student is enrolled as defined in
8 subdivision (b) of this paragraph.

9 (ii) For high schools, a part-time student who is enrolled in less
10 than four subjects that count toward graduation as defined by the state board
11 of education in a recognized high school and who is taught in less than
12 twenty instructional hours per week prorated for any week with fewer than
13 five school days. A part-time high school student shall be counted as
14 one-fourth, one-half or three-fourths of a full-time student if the student
15 is enrolled in an instructional program that is at least one-fourth, one-half
16 or three-fourths of a full-time instructional program as defined in
17 subdivision (c) of this paragraph.

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

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

1 eight hundred ninety hours. Until fiscal year 2001-2002, seventh and eighth
2 grade students or ungraded students at least twelve, but under fourteen,
3 years of age by September 1 must be enrolled in an instructional program that
4 meets for a total of at least one thousand thirty-eight hours during the
5 minimum number of days required in a school year as provided in section
6 15-341. In fiscal year 2001-2002, the program shall meet at least one
7 thousand forty-four hours. In fiscal year 2002-2003, the program shall meet
8 at least one thousand fifty hours. In fiscal year 2003-2004, the program
9 shall meet at least one thousand fifty-six hours. In fiscal year 2004-2005,
10 the program shall meet at least one thousand sixty-two hours. In fiscal year
11 2005-2006 and each fiscal year thereafter, the program shall meet at least
12 one thousand sixty-eight hours. Lunch periods and recess periods may not be
13 included as part of the instructional hours unless the student is a child
14 with a disability and the child's individualized education program requires
15 instruction during those periods and the specific reasons for such
16 instruction are fully documented.

17 (ii) For high schools, [EXCEPT AS PROVIDED IN SECTION 15-105](#), a student
18 not graduated from the highest grade taught in the school district, or an
19 ungraded student at least fourteen years of age by September 1, and enrolled
20 in at least a full-time instructional program of subjects that count toward
21 graduation as defined by the state board of education in a recognized high
22 school. A full-time student shall not be counted more than once for
23 computation of average daily membership.

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

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

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

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

40 (iii) For fiscal year 2002-2003, an instructional program that meets
41 at least a total of seven hundred eight hours during the minimum number of
42 days required and includes at least four subjects each of which, if taught
43 each school day for the minimum number of days required in a school year,
44 would meet a minimum of one hundred twenty-two hours a year, or the
45 equivalent, or one or more subjects taught in amounts of time totaling at

1 least twenty hours per week prorated for any week with fewer than five school
2 days.

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

10 (v) For fiscal year 2004-2005, an instructional program that meets at
11 least a total of seven hundred sixteen hours during the minimum number of
12 days required and includes at least four subjects each of which, if taught
13 each school day for the minimum number of days required in a school year,
14 would meet a minimum of one hundred twenty-three hours a year, or the
15 equivalent, or one or more subjects taught in amounts of time totaling at
16 least twenty hours per week prorated for any week with fewer than five school
17 days.

18 (vi) For fiscal year 2005-2006 and each fiscal year thereafter, an
19 instructional program that meets at least a total of seven hundred twenty
20 hours during the minimum number of days required and includes at least four
21 subjects each of which, if taught each school day for the minimum number of
22 days required in a school year, would meet a minimum of one hundred
23 twenty-three hours a year, or the equivalent, or one or more subjects taught
24 in amounts of time totaling at least twenty hours per week prorated for any
25 week with fewer than five school days.

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

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

31 5. "Current year" means the fiscal year in which a school district is
32 operating.

33 6. "Daily attendance" means:

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

35 (i) Of a kindergarten program or ungraded, but not group B children
36 with disabilities, and at least five, but under six, years of age by
37 September 1 attends at least three-quarters of the instructional time
38 scheduled for the day. If the total instruction time scheduled for the year
39 is at least three hundred forty-six hours but is less than six hundred
40 ninety-two hours such attendance shall be counted as one-half day of
41 attendance. If the instructional time scheduled for the year is at least six
42 hundred ninety-two hours, "daily attendance" means days in which a pupil
43 attends at least one-half of the instructional time scheduled for the day.
44 Such attendance shall be counted as one-half day of attendance.

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

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

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

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

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

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

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

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

42 (e) For high schools or ungraded schools in which the pupil is at
43 least fourteen years of age by September 1, the attendance of a pupil may be
44 counted as one-fourth of a day's attendance for each sixty minutes of
45 instructional time in a subject that counts toward graduation, except that

1 attendance for a pupil shall not exceed the pupil's full or fractional
2 membership.

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

6 (g) For school districts which maintain school for an approved
7 year-round school year operation, attendance shall be based on a computation,
8 as prescribed by the superintendent of public instruction, of the one hundred
9 eighty days' equivalency or two hundred days' equivalency, as applicable, of
10 instructional time as approved by the superintendent of public instruction
11 during which each pupil is enrolled.

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

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

17 (b) The total number of miles driven daily on routes approved by the
18 superintendent of public instruction for which a private party, a political
19 subdivision or a common or a contract carrier is reimbursed for bringing an
20 eligible student from the place of his residence to a school transportation
21 pickup point or to the school of attendance and from the school
22 transportation scheduled return point or from the school of attendance to his
23 residence. Daily route mileage includes the total number of miles necessary
24 to drive to transport eligible students from and to their residence as
25 provided in this paragraph.

26 8. "District support level" means the base support level plus the
27 transportation support level.

28 9. "Eligible students" means:

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

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

41 (ii) For high school students, whose place of actual residence within
42 the school district is more than one and one-half miles from the school
43 facility of attendance or students who are admitted pursuant to section
44 15-816.01 and who meet the economic eligibility requirements established
45 under the national school lunch and child nutrition acts (42 United States

1 Code sections 1751 through 1785) for free or reduced price lunches and whose
2 actual place of residence outside the school district boundaries is more than
3 one and one-half miles from the school facility of attendance.

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

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

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

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

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

21 12. "High school district" means a political subdivision of this state
22 offering instruction to students for grades nine through twelve or that
23 portion of the budget of a common school district which is allocated to
24 teaching high school subjects with permission of the state board of
25 education.

26 13. "Revenue control limit" means the base revenue control limit plus
27 the transportation revenue control limit.

28 14. "Student count" means average daily membership as prescribed in
29 this subsection for the fiscal year prior to the current year, except that
30 for the purpose of budget preparation student count means average daily
31 membership as prescribed in this subsection for the current year.

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

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

36 17. "Total students transported" means all eligible students
37 transported from their place of residence to a school transportation pickup
38 point or to the school of attendance and from the school of attendance or
39 from the school transportation scheduled return point to their place of
40 residence.

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

- 1 B. In this title, unless the context otherwise requires:
- 2 1. "Base" means the revenue level per student count specified by the
- 3 legislature.
- 4 2. "Base level" means:
- 5 (a) For fiscal year 2004-2005, two thousand eight hundred ninety-three
- 6 dollars eighteen cents.
- 7 (b) For fiscal year 2005-2006, three thousand one dollars.
- 8 (c) For fiscal year 2006-2007, three thousand one hundred thirty-three
- 9 dollars fifty-three cents.
- 10 3. "Base revenue control limit" means the base revenue control limit
- 11 computed as provided in section 15-944.
- 12 4. "Base support level" means the base support level as provided in
- 13 section 15-943.
- 14 5. "Certified teacher" means a person who is certified as a teacher
- 15 pursuant to the rules adopted by the state board of education, who renders
- 16 direct and personal services to school children in the form of instruction
- 17 related to the school district's educational course of study and who is paid
- 18 from the maintenance and operation section of the budget.
- 19 6. "ED, MIMR, SLD, SLI and OHI" means programs for children with
- 20 emotional disabilities, mild mental retardation, a specific learning
- 21 disability, a speech/language impairment and other health impairments.
- 22 7. "ED-P" means programs for children with emotional disabilities who
- 23 are enrolled in private special education programs as prescribed in section
- 24 15-765, subsection D, paragraph 1 or in an intensive school district program
- 25 as provided in section 15-765, subsection D, paragraph 2.
- 26 8. "ELL" means English learners who do not speak English or whose
- 27 native language is not English, who are not currently able to perform
- 28 ordinary classroom work in English and who are enrolled in an English
- 29 language education program pursuant to sections 15-751, 15-752 and 15-753.
- 30 9. "Full-time equivalent certified teacher" or "FTE certified teacher"
- 31 means for a certified teacher the following:
- 32 (a) If employed full time as defined in section 15-501, 1.00.
- 33 (b) If employed less than full time, multiply 1.00 by the percentage
- 34 of a full school day, or its equivalent, or a full class load, or its
- 35 equivalent, for which the teacher is employed as determined by the governing
- 36 board.
- 37 10. "Group A" means educational programs for career exploration, a
- 38 specific learning disability, an emotional disability, mild mental
- 39 retardation, remedial education, a speech/language impairment, homebound,
- 40 bilingual, preschool moderate delay, preschool speech/language delay, other
- 41 health impairments and gifted pupils.
- 42 11. "Group B" means educational improvements for pupils in kindergarten
- 43 programs and grades one through three, educational programs for autism, a
- 44 hearing impairment, moderate mental retardation, multiple disabilities,
- 45 multiple disabilities with severe sensory impairment, orthopedic impairments,

1 preschool severe delay, severe mental retardation and emotional disabilities
2 for school age pupils enrolled in private special education programs or in
3 school district programs for children with severe disabilities or visual
4 impairment and English learners enrolled in a program to promote English
5 language proficiency pursuant to section 15-752.

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

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

24 14. "K" means kindergarten programs.

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

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

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

30 18. "MDSSI" means a program for pupils with multiple disabilities with
31 severe sensory impairment.

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

33 20. "OI-R" means a resource program for pupils with orthopedic
34 impairments.

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

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

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

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

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

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

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

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

10 26. "Small school district" means a school district which meets all of
11 the following:

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

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

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

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

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

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

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

26 Sec. 3. Section 15-1855, Arizona Revised Statutes, is amended to read:

27 15-1855. Postsecondary education grant program; fund; program
28 termination; definition

29 A. The commission on postsecondary education shall develop, implement
30 and administer a postsecondary education grant program. The commission shall
31 develop application forms, procedures and deadlines and shall select eligible
32 students each year for participation in the postsecondary education grant
33 program. The commission may establish partnerships with qualifying schools
34 for the administration of the postsecondary education grant program.
35 Participating full-time students shall receive a grant in an amount of two
36 thousand dollars annually **FOR A MAXIMUM OF FOUR CALENDAR YEARS** to be used to
37 pay all or a portion of the **FOLLOWING:**

38 1. **THE** tuition **CHARGED AT A QUALIFYING SCHOOL. —**

39 2. **THE COST OF** books **REQUIRED FOR CLASSES AT A QUALIFYING SCHOOL. and**

40 3. **THE** fees charged at a qualifying school ~~for a maximum of four~~
41 ~~calendar years.~~

42 B. The amount of a grant awarded to a participating part-time student
43 enrolled in at least six credit hours shall be prorated in accordance with
44 the part-time status of the student.

1 C. EMPLOYEES OF PRIVATE POSTSECONDARY INSTITUTIONS AND FAMILY MEMBERS
2 OF EMPLOYEES OF PRIVATE POSTSECONDARY INSTITUTIONS ARE NOT ELIGIBLE TO
3 RECEIVE A POSTSECONDARY EDUCATION GRANT PURSUANT TO THIS SECTION IF THE
4 EMPLOYEE OR FAMILY MEMBER IS ELIGIBLE FOR TUITION REIMBURSEMENT OR A TUITION
5 WAIVER AS A BENEFIT OF EMPLOYMENT.

6 D. A student who has ~~obtained a sufficient number of academic credits~~
7 ~~to graduate with~~ a baccalaureate degree from the qualifying school is ~~no~~
8 ~~longer~~ NOT eligible to receive postsecondary education grant monies pursuant
9 to this section.

10 ~~B.~~ E. Students who provide satisfactory proof to the commission that
11 the student has met each of the following criteria are eligible to submit an
12 application for consideration by the commission for a grant under the
13 postsecondary education grant program:

14 1. The student MEETS AT LEAST ONE OF THE FOLLOWING CRITERIA:

15 (a) Has graduated from a public or private high school in this
16 state. ~~,~~

17 (b) Has completed the equivalent of grade twelve in a home school
18 program. ~~or~~

19 (c) Has obtained a general equivalency diploma in this state.

20 (d) IS CURRENTLY A RESIDENT OF THIS STATE AND HAS BEEN A RESIDENT OF
21 THIS STATE FOR AT LEAST ONE YEAR.

22 (e) IS A MEMBER OF THE MILITARY SERVICE OF THE UNITED STATES STATIONED
23 IN THIS STATE OR THE SPOUSE OR DEPENDENT OF A MEMBER OF THE MILITARY SERVICE
24 OF THE UNITED STATES STATIONED IN THIS STATE.

25 2. The student has met the qualifications adopted by the commission.
26 The commission shall adopt minimum qualifications that are comparable to the
27 admissions standards established by the Arizona board of regents for Arizona
28 public universities.

29 3. The student registers for enrollment as a student in a
30 baccalaureate program at a nationally or regionally accredited private
31 postsecondary educational institution in this state that awards four year
32 baccalaureate degrees.

33 ~~4. The student is currently a resident of this state and has been a~~
34 ~~resident of this state for at least the past five consecutive years.~~

35 4. THE STUDENT HAS PROVIDED HIGH SCHOOL TRANSCRIPTS AS PROOF OF
36 GRADUATION IF THE STUDENT HAS GRADUATED FROM A PUBLIC OR PRIVATE HIGH SCHOOL.
37 IF HIGH SCHOOL RECORDS NO LONGER EXIST FOR A STUDENT OR AFTER EVERY EFFORT
38 HAS BEEN MADE TO OBTAIN OFFICIAL RECORDS, THE STUDENT MAY SUBMIT A LETTER
39 CERTIFIED BY THE HIGH SCHOOL FROM WHICH THE STUDENT GRADUATED OR THE ORIGINAL
40 HIGH SCHOOL DIPLOMA.

41 5. The student has completed and submitted a free application for
42 federal student aid.

43 6. The student is a citizen or legal resident of the United States,~~,~~
44 or is otherwise lawfully present in the United States.

1 ~~F.~~ F. The postsecondary education grant fund is established
2 consisting of legislative appropriations. The commission shall administer
3 the fund. Monies in the fund are continuously appropriated and are exempt
4 from the provisions of section 35-190 relating to lapsing of appropriations.
5 The commission shall make awards for payment of tuition at qualifying schools
6 to students who are selected to participate in the postsecondary education
7 grant program pursuant to subsection A of this section.

8 ~~G.~~ G. If the amount of monies available for postsecondary education
9 grants in any fiscal year is insufficient to provide grants to all eligible
10 applicants, the commission shall award grants to eligible students in the
11 order in which the applications were received by the commission, except that
12 priority shall be given to qualifying students who received a grant in the
13 previous fiscal year and who are still in good academic standing at the same
14 qualifying school. The commission shall maintain a waiting list for all
15 other applicants.

16 ~~H.~~ H. A student who fails to receive a baccalaureate degree within a
17 five year period of receipt of the program award shall reimburse the
18 postsecondary education grant fund for all awards received pursuant to
19 subsection A of this section.

20 ~~I.~~ I. The commission shall submit an annual report to the governor,
21 the president of the senate, the speaker of the house of representatives and
22 the joint legislative budget committee that includes a detailed description
23 of the amount of monies distributed under the postsecondary education grant
24 program during the previous fiscal year and that includes the total number of
25 qualified applicants for grants, the total number of grants awarded, the
26 qualifying schools attended by grant recipients and the total number of
27 qualified applicants who were placed on the waiting list. The commission
28 shall provide a copy of this report to the secretary of state and the
29 director of the Arizona state library, archives and public records.

30 ~~J.~~ J. If the commission is notified by a qualifying school that a
31 student who has received a postsecondary education grant is no longer in good
32 academic standing at the qualifying school, the commission shall immediately
33 discontinue the grant and the student shall reimburse the postsecondary
34 education grant fund for any unused portion or any unlawfully used portion of
35 a grant received pursuant to subsection A of this section.

36 ~~K.~~ K. The commission shall develop a marketing strategy that is
37 designed to provide information about the postsecondary education grant
38 program to all high school students in this state.

39 ~~L.~~ L. The program established by this section ends on July 1, 2016
40 pursuant to section 41-3102.

41 ~~M.~~ M. For the purposes of this section, "qualifying school" means a
42 nationally or regionally accredited private postsecondary educational
43 institution in this state that offers four year baccalaureate degrees.