

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

# SENATE BILL 1183

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-105; AMENDING SECTION 15-901, ARIZONA REVISED STATUTES; RELATING TO SCHOLARSHIPS.

(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; definition

5 A. EACH SCHOOL DISTRICT OR CHARTER SCHOOL THAT PROVIDES INSTRUCTION IN  
6 GRADES NINE THROUGH TWELVE IN THIS STATE SHALL DEVELOP, IMPLEMENT AND  
7 ADMINISTER AN EARLY GRADUATION SCHOLARSHIP PROGRAM. THE SCHOOL DISTRICT OR  
8 CHARTER SCHOOL SHALL DEVELOP APPLICATION FORMS, PROCEDURES AND DEADLINES AND  
9 SHALL SELECT ELIGIBLE STUDENTS EACH YEAR FOR PARTICIPATION IN THE EARLY  
10 GRADUATION SCHOLARSHIP PROGRAM. PARTICIPATING FULL-TIME STUDENTS SHALL  
11 RECEIVE A SCHOLARSHIP GRANT IN AN AMOUNT NOT TO EXCEED ONE THOUSAND DOLLARS  
12 OR THE ACTUAL COST OF TUITION, BOOKS AND FEES, WHICHEVER IS LESS, IN THE  
13 FIRST ACADEMIC YEAR OF POSTSECONDARY INSTRUCTION AND AN AMOUNT NOT TO EXCEED  
14 FIVE HUNDRED DOLLARS OR THE ACTUAL COST OF TUITION, BOOKS AND FEES, WHICHEVER  
15 IS LESS, IN THE SECOND ACADEMIC YEAR OF POSTSECONDARY INSTRUCTION TO BE USED  
16 TO PAY ALL OR A PORTION OF THE TUITION AND FEES CHARGED AT A QUALIFYING  
17 SCHOOL FOR A MAXIMUM OF TWO FISCAL YEARS THAT MUST BE COMPLETED WITHIN  
18 THIRTY-SIX MONTHS OF THE STUDENT'S ACTUAL GRADUATION DATE FROM THE HIGH  
19 SCHOOL. THE AMOUNT OF A SCHOLARSHIP GRANT AWARDED TO A PARTICIPATING  
20 PART-TIME STUDENT ENROLLED IN AT LEAST SIX CREDIT HOURS SHALL BE PRORATED IN  
21 ACCORDANCE WITH THE PART-TIME STATUS OF THE STUDENT.

22 B. STUDENTS WHO PROVIDE SATISFACTORY PROOF TO THE SCHOOL DISTRICT OR  
23 CHARTER SCHOOL THAT THE STUDENT HAS MET ALL OF THE FOLLOWING CRITERIA ARE  
24 ELIGIBLE TO SUBMIT AN APPLICATION FOR CONSIDERATION FOR A SCHOLARSHIP GRANT  
25 UNDER THE EARLY GRADUATION SCHOLARSHIP PROGRAM:

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

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

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

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

36 C. THE SCHOOL DISTRICT OR CHARTER SCHOOL THAT THE STUDENT GRADUATED  
37 FROM SHALL INCLUDE STUDENTS WHO GRADUATE EARLY IN THE SCHOOL DISTRICT'S OR  
38 CHARTER SCHOOL'S STUDENT COUNT UNTIL THE STUDENT'S CLASS IS SCHEDULED TO  
39 GRADUATE AND SHALL CONTINUE TO RECEIVE PER PUPIL FUNDING FOR STUDENTS WHO  
40 GRADUATE EARLY UNTIL THE STUDENT'S CLASS IS SCHEDULED TO GRADUATE.

41 D. EACH SCHOOL DISTRICT OR CHARTER SCHOOL SHALL DEPOSIT THE AMOUNT OF  
42 PER PUPIL FUNDING RECEIVED FOR STUDENTS WHO GRADUATE EARLY IN AN EARLY  
43 GRADUATION SCHOLARSHIP FUND. THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL  
44 MAKE AWARDS FROM THE FUND FOR PAYMENT OF TUITION, BOOKS AND FEES AT  
45 QUALIFYING SCHOOLS TO STUDENTS WHO ARE SELECTED TO PARTICIPATE IN THE EARLY

1 GRADUATION SCHOLARSHIP PROGRAM PURSUANT TO SUBSECTION A OF THIS SECTION. THE  
2 SCHOOL DISTRICT OR CHARTER SCHOOL SHALL PROVIDE A SCHOLARSHIP TO THE ELIGIBLE  
3 STUDENT WHO SHALL IMMEDIATELY RESTRICTIVELY ENDORSE THE SCHOLARSHIP TO THE  
4 QUALIFYING SCHOOL. THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL SET ASIDE A  
5 TOTAL OF TWO THOUSANDS DOLLARS FOR EACH PUPIL THAT GRADUATES EARLY FROM THE  
6 MONIES GENERATED PURSUANT TO SUBSECTION C OF THIS SECTION AND MAY PLACE ANY  
7 REMAINING MONIES IN THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S MAINTENANCE AND  
8 OPERATIONS FUND.

9 E. IF THE AMOUNT OF MONIES AVAILABLE FOR SCHOLARSHIP GRANTS IN ANY  
10 FISCAL YEAR IS INSUFFICIENT TO PROVIDE SCHOLARSHIP GRANTS TO ALL ELIGIBLE  
11 APPLICANTS, THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL AWARD SCHOLARSHIP  
12 GRANTS TO ELIGIBLE STUDENTS IN THE ORDER IN WHICH THE APPLICATIONS WERE  
13 RECEIVED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL, EXCEPT THAT PRIORITY SHALL  
14 BE GIVEN TO QUALIFYING STUDENTS WHO RECEIVED A SCHOLARSHIP GRANT IN THE  
15 PREVIOUS FISCAL YEAR AND WHO ARE STILL IN GOOD ACADEMIC STANDING AT THE SAME  
16 QUALIFYING SCHOOL OR WHO TRANSFERRED TO A DIFFERENT QUALIFYING SCHOOL BUT  
17 REMAINS IN GOOD ACADEMIC STANDING AT THE PREVIOUS QUALIFYING SCHOOL. THE  
18 SCHOOL DISTRICT OR CHARTER SCHOOL SHALL MAINTAIN A WAITING LIST FOR ALL OTHER  
19 APPLICANTS.

20 F. IF THE SCHOOL DISTRICT OR CHARTER SCHOOL IS NOTIFIED BY A  
21 QUALIFYING SCHOOL THAT A STUDENT WHO HAS RECEIVED A SCHOLARSHIP GRANT IS NO  
22 LONGER IN GOOD ACADEMIC STANDING AT THE QUALIFYING SCHOOL OR IS NO LONGER  
23 ENROLLED AT THE QUALIFYING SCHOOL, THE STUDENT SHALL REIMBURSE THE SCHOOL  
24 DISTRICT'S OR CHARTER SCHOOL'S EARLY GRADUATION SCHOLARSHIP FUND FOR ANY  
25 SCHOLARSHIP GRANT RECEIVED PURSUANT TO SUBSECTION A OF THIS SECTION. THE  
26 SCHOOL DISTRICT OR CHARTER SCHOOL GOVERNING BOARD MAY WAIVE THE REIMBURSEMENT  
27 REQUIREMENTS OF THIS SUBSECTION FOR GOOD CAUSE SHOWN. A STUDENT SHALL  
28 PROVIDE PROOF THAT THE STUDENT COMPLETED THE FIRST YEAR IN GOOD ACADEMIC  
29 STANDING FROM THE QUALIFYING SCHOOL TO THE SCHOOL DISTRICT OR CHARTER SCHOOL  
30 THAT THE STUDENT GRADUATED FROM PRIOR TO RECEIVING MONIES FOR THE SECOND YEAR  
31 FROM THE SCHOOL DISTRICT'S OR CHARTER SCHOOL'S EARLY GRADUATION SCHOLARSHIP  
32 FUND.

33 G. A STUDENT THAT RECEIVES AN EARLY GRADUATION SCHOLARSHIP GRANT SHALL  
34 BE ALLOWED TO BOTH:

35 1. PARTICIPATE AT NO COST TO THE STUDENT IN EXTRACURRICULAR ACTIVITIES  
36 UNTIL THE STUDENT'S HIGH SCHOOL CLASS IS SCHEDULED TO GRADUATE.

37 2. PARTICIPATE AT NO COST TO THE STUDENT IN THE STUDENT'S HIGH SCHOOL  
38 CLASS GRADUATION CEREMONIES.

39 H. FOR THE PURPOSES OF THIS SECTION, "QUALIFYING SCHOOL" MEANS A  
40 PUBLIC OR PRIVATE POSTSECONDARY EDUCATIONAL INSTITUTION WITHIN THIS STATE OR  
41 ANY OTHER STATE OR A PRIVATE VOCATIONAL PROGRAM WITHIN THIS STATE OR ANY  
42 OTHER STATE.

43 Sec. 2. Section 15-901, Arizona Revised Statutes, is amended to read:  
44 15-901. Definitions

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

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

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

12           (a) "Fractional student" means:

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

39           (ii) For high schools, a part-time student who is enrolled in less  
40 than four subjects that count toward graduation as defined by the state board  
41 of education in a recognized high school and who is taught in less than  
42 twenty instructional hours per week prorated for any week with fewer than  
43 five school days. A part-time high school student shall be counted as  
44 one-fourth, one-half or three-fourths of a full-time student if the student  
45 is enrolled in an instructional program that is at least one-fourth, one-half

1 or three-fourths of a full-time instructional program as defined in  
2 subdivision (c) of this paragraph.

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

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

1 instruction during those periods and the specific reasons for such  
2 instruction are fully documented.

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

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

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

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

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

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

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

41 (v) For fiscal year 2004-2005, an instructional program that meets at  
42 least a total of seven hundred sixteen hours during the minimum number of  
43 days required and includes at least four subjects each of which, if taught  
44 each school day for the minimum number of days required in a school year,  
45 would meet a minimum of one hundred twenty-three hours a year, or the

1 equivalent, or one or more subjects taught in amounts of time totaling at  
2 least twenty hours per week prorated for any week with fewer than five school  
3 days.

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

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

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

17 5. "Current year" means the fiscal year in which a school district is  
18 operating.

19 6. "Daily attendance" means:

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

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

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

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

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

44 (b) For common schools, the attendance of a pupil at three-quarters or  
45 less of the instructional time scheduled for the day shall be counted as

1 follows, except as provided in section 15-797 and except that attendance for  
2 a fractional student shall not exceed the pupil's fractional membership:

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

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

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

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

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

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

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

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

43 (a) The total number of miles driven daily by all buses of a school  
44 district while transporting eligible students from their residence to the



1 school of attendance and from the school of attendance to their residence on  
2 scheduled routes approved by the superintendent of public instruction.

3 (b) The total number of miles driven daily on routes approved by the  
4 superintendent of public instruction for which a private party, a political  
5 subdivision or a common or a contract carrier is reimbursed for bringing an  
6 eligible student from the place of his residence to a school transportation  
7 pickup point or to the school of attendance and from the school  
8 transportation scheduled return point or from the school of attendance to his  
9 residence. Daily route mileage includes the total number of miles necessary  
10 to drive to transport eligible students from and to their residence as  
11 provided in this paragraph.

12 8. "District support level" means the base support level plus the  
13 transportation support level.

14 9. "Eligible students" means:

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

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

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

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

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

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

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

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

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

14 13. "Revenue control limit" means the base revenue control limit plus  
15 the transportation revenue control limit.

16 14. "Student count" means average daily membership as prescribed in  
17 this subsection for the fiscal year prior to the current year, except that  
18 for the purpose of budget preparation student count means average daily  
19 membership as prescribed in this subsection for the current year.

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

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

24 17. "Total students transported" means all eligible students  
25 transported from their place of residence to a school transportation pickup  
26 point or to the school of attendance and from the school of attendance or  
27 from the school transportation scheduled return point to their place of  
28 residence.

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

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

33 1. "Base" means the revenue level per student count specified by the  
34 legislature.

35 2. "Base level" means:

36 (a) For fiscal year 2004-2005, two thousand eight hundred ninety-three  
37 dollars eighteen cents.

38 (b) For fiscal year 2005-2006, three thousand one dollars.

39 (c) For fiscal year 2006-2007, three thousand one hundred thirty-three  
40 dollars fifty-three cents.

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

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

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

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

9           7. "ED-P" means programs for children with emotional disabilities who  
10 are enrolled in private special education programs as prescribed in section  
11 15-765, subsection D, paragraph 1 or in an intensive school district program  
12 as provided in section 15-765, subsection D, paragraph 2.

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

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

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

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

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

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

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

39           13. "Homebound" or "hospitalized" means a pupil who is capable of  
40 profiting from academic instruction but is unable to attend school due to  
41 illness, disease, accident or other health conditions, who has been examined  
42 by a competent medical doctor and who is certified by that doctor as being  
43 unable to attend regular classes for a period of not less than three school  
44 months or a pupil who is capable of profiting from academic instruction but  
45 is unable to attend school regularly due to chronic or acute health problems,

1 who has been examined by a competent medical doctor and who is certified by  
2 that doctor as being unable to attend regular classes for intermittent  
3 periods of time totaling three school months during a school year. The  
4 medical certification shall state the general medical condition, such as  
5 illness, disease or chronic health condition, that is the reason that the  
6 pupil is unable to attend school. Homebound or hospitalized includes a  
7 student who is unable to attend school for a period of less than three months  
8 due to a pregnancy if a competent medical doctor, after an examination,  
9 certifies that the student is unable to attend regular classes due to risk to  
10 the pregnancy or to the student's health.

11 14. "K" means kindergarten programs.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 26. "Small school district" means a school district which meets all of  
43 the following:

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

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

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

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

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

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

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