

REFERENCE TITLE: inmate education; funding

State of Arizona  
House of Representatives  
Forty-third Legislature  
Second Regular Session  
1998

## HB 2063

Introduced by  
Representatives Smith: Anderson

### AN ACT

AMENDING SECTION 15-1372, ARIZONA REVISED STATUTES; RELATING TO STATE EDUCATIONAL SYSTEM FOR COMMITTED YOUTH FUNDING.

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

2 Section 1. Section 15-1372, Arizona Revised Statutes, is amended to  
3 read:

4 15-1372. Equalization assistance for state educational system  
5 for persons in the state department of corrections

6 A. The state department of corrections shall provide educational  
7 services for pupils WHO ARE under the age of eighteen years and pupils with  
8 disabilities who are age twenty-one or younger who are committed to the state  
9 department of corrections. The department of education shall provide  
10 technical assistance to the state department of corrections on request and  
11 shall assist the state department of corrections in establishing program and  
12 personnel standards.

13 B. The state education fund for correctional education is established  
14 as a separate fund in the state treasury. Fund monies shall be used for the  
15 purposes of providing education to pupils as specified in subsection A of  
16 this section. Notwithstanding section 35-173, monies appropriated to the  
17 fund shall not be transferred to or used for any program not directly related  
18 to the educational services required by this section. State equalization  
19 assistance, other state and federal monies received from the department of  
20 education for which the pupils in correctional education programs qualify and  
21 monies appropriated for correctional education except monies appropriated  
22 pursuant to subsection C of this section shall be deposited in the fund. The  
23 state treasurer shall maintain separate accounts for fund monies if the  
24 separate accounts are required by statute or federal law.

1 C. The state department of corrections may seek appropriations for  
2 capital needs for land, buildings and improvements, including repairs and  
3 maintenance, required to maintain the educational services required by this  
4 section.

5 D. Beginning in fiscal year 1996-1997, the state board of education  
6 shall apportion state aid to the state treasurer for deposit in the state  
7 education fund for correctional education in an amount as determined by  
8 subsection E of this section. The apportionments are as follows:

9 1. On July 1, one-third of the total amount to be apportioned during  
10 the fiscal year.

11 2. On October 15, one-twelfth of the total amount to be apportioned  
12 during the fiscal year.

13 3. On December 15, one-twelfth of the total amount to be apportioned  
14 during the fiscal year.

15 4. On January 15, one-twelfth of the total amount to be apportioned  
16 during the fiscal year.

17 5. On February 15, one-twelfth of the total amount to be apportioned  
18 during the fiscal year.

19 6. On March 15, one-twelfth of the total amount to be apportioned  
20 during the fiscal year.

21 7. On April 15, one-twelfth of the total amount to be apportioned  
22 during the fiscal year.

23 8. On May 15, one-twelfth of the total amount to be apportioned during  
24 the fiscal year.

25 9. On June 15, one-twelfth of the total amount to be apportioned  
26 during the fiscal year.

27 E. Beginning in fiscal year 1996-1997, the director of the state  
28 department of corrections shall calculate a base support level as prescribed  
29 in section 15-943 and a capital outlay revenue limit as prescribed in section  
30 15-961 for the educational services required by this section, except that:

31 1. Notwithstanding section 15-901, the student count shall be  
32 determined using the following definitions:

33 (a) "Daily attendance" means days in which a pupil attends an  
34 educational program for a minimum of one hundred ~~forty~~ EIGHTY minutes not  
35 including meal and recess periods. Attendance for ~~seventy-five~~ NINETY or  
36 more minutes but fewer than one hundred ~~forty~~ EIGHTY minutes shall be counted  
37 as one-half day's attendance.

38 (b) "Fractional student" means a pupil enrolled in an educational  
39 program of ~~seventy-five~~ NINETY or more minutes but fewer than one hundred  
40 ~~forty~~ EIGHTY minutes per day not including meal and recess periods. A  
41 fractional student shall be counted as one-half of a full-time student.

1 (c) "Full-time student" means a pupil enrolled in an educational  
2 program for a minimum of one hundred ~~fifty~~ EIGHTY minutes per day not  
3 including meal and recess periods.

4 (d) "Pupil with a disability" has the same meaning as child with a  
5 disability prescribed in section 15-761.

6 2. All pupils shall be counted as if they were enrolled in grades nine  
7 through twelve.

8 3. The teacher experience index is 1.00.

9 4. Beginning with the 1996-1997 school year the calculation for  
10 additional teacher compensation monies as prescribed in section 15-952 is  
11 available.

12 5. Section 15-943, paragraph 1 does not apply.

13 ~~6. The base support level and capital outlay amounts calculated~~  
14 ~~pursuant to this subsection shall be multiplied by .5.~~

15 ~~7-~~ 6. The school year shall consist of a period of not less than two  
16 hundred ~~forty-nine~~ EIGHT days.

17 F. Beginning in fiscal year 1996-1997, the director of the state  
18 department of corrections may use sections 15-855, 15-942 and 15-948 in  
19 making the calculations prescribed in subsection E of this section. The  
20 director of the state department of corrections and the department of  
21 education shall prescribe procedures for calculating average daily attendance  
22 and average daily membership.

23 G. Beginning in fiscal year 1996-1997, equalization assistance for  
24 correctional education programs provided for those pupils specified in  
25 subsection A of this section is determined by adding the amount of the base  
26 support level and the capital outlay revenue limit for the budget year  
27 calculated as prescribed in subsection E of this section.

28 H. The director of the state department of corrections shall keep  
29 records and provide information as the ~~state~~ department of education requires  
30 to determine the appropriate amount of equalization assistance. Equalization  
31 assistance shall be used to provide educational services in this section.

32 I. The department of education and the state department of corrections  
33 shall enter into an intergovernmental agreement that establishes the  
34 necessary accountability between the two departments regarding the  
35 administrative and funding requirements contained in subsections A and B of  
36 this section. The agreement shall:

37 1. Provide for appropriate education to all committed youths as  
38 required by state and federal law.

39 2. Provide financial information to meet requirements for equalization  
40 assistance.

41 3. Provide for appropriate pupil intake and assessment procedures.

42 4. Require pupil performance assessment and the reporting of results.