

CHAPTER 177

Senate Bill 1

AN ACT

RELATING TO EDUCATION; PERMITTING THE ESTABLISHMENT OF KINDERGARTENS; REMOVING LIMITATION FROM PROPOSED SCHOOL DISTRICT BUDGET WHICH PROVIDES THAT KINDERGARTENS SHALL NOT BE ELIGIBLE FOR STATE AID; PROVIDING THAT EXPENSES INCIDENT TO OPERATION OF KINDERGARTEN BE EXCLUDED FROM THE BUDGET SIX PER CENT LIMIT CHECK FOR THE FIRST YEAR ONLY; EXTENDING APPORTIONMENT OF FUNDS TO INCLUDE KINDERGARTEN ATTENDANCE; ESTABLISHING THE STATE KINDERGARTEN FUND; PROVIDING AID FOR KINDERGARTENS FOR CERTAIN FISCAL YEARS; AMENDING SECTIONS 15-448, 15-1201, 15-1201.01, 15-1212, AND 15-1221, ARIZONA REVISED STATUTES, AND MAKING AN APPROPRIATION.

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

Section 1. LEGISLATIVE INTENT

A. In order to provide sufficient education for future generations to prepare for the complexities of modern technology and to begin to mold a child's habits before its intellect is stifled by its environment, the legislature urges the establishment of kindergartens and provides proper and sufficient funding at the state and county levels in the hope that all children will have an equal opportunity to receive the benefits accruing therefrom.

B. Realizing that it would not be feasible or practical for some school districts to provide kindergarten instruction the legislature has provided a means for districts which find it necessary to claim an exemption from the requirement of providing kindergarten instruction for any school year.

Sec. 2. Section 15-448, Arizona Revised Statutes, is amended to read:

15-448. KINDERGARTEN AND SPECIAL DEPARTMENTS; SPECIAL TEACHERS

A. The board of trustees may:

~~1. Establish kindergartens when in their opinion establishment of a kindergarten will not interfere with the work of or maintenance of efficiency in the grades. If kindergartens are established, the board may secure funds for their maintenance in the same manner other school funds are secured.~~

~~2.~~ 1. Establish departments of manual training and household economics.

~~3.~~ 2. Either by itself or in cooperation with another district or districts establish departments for the education and improvement of students afflicted with partial or total blindness, deafness or defective speech and purchase the necessary supplies for such departments.

B. The board may:

1. Employ special teachers in drawing, music, domestic science, manual training, kindergarten, commercial work, agriculture and other special subjects.

2. Either by itself or in cooperation with another district or districts employ special teachers for the education and improvement of students afflicted with partial or total blindness, deafness or defective speech.

C. Such program under subsection A of this section, shall conform to conditions and standards formulated by the board of directors of the Arizona school for the deaf and blind and approved by the state board of education.

D. EACH COMMON SCHOOL DISTRICT SHALL ESTABLISH A KINDERGARTEN PROGRAM, UNLESS THE GOVERNING BODY OF SUCH COMMON SCHOOL DISTRICT FILES AN EXEMPTION CLAIM WITH THE STATE DEPARTMENT OF EDUCATION. A DISTRICT IS EXEMPT FROM ESTABLISHING A KINDERGARTEN PROGRAM IF IT FILES, WITH THE STATE DEPARTMENT OF EDUCATION, AN EXEMPTION CLAIM WHICH STATES THAT THE ESTABLISHMENT OF KINDERGARTEN WILL INTERFERE WITH THE WORK OF, OR MAINTENANCE OF EFFICIENCY IN, THE GRADES AND THAT THE KINDERGARTEN IS NOT IN THE BEST INTERESTS OF THE DISTRICT.

E. FOR THE PURPOSE OF MAINTAINING A KINDERGARTEN PROGRAM A COMMON SCHOOL DISTRICT BOARD MAY RENT OR LEASE SUCH BUILDINGS AS MAY BE NECESSARY AS PROVIDED BY LAW.

Sec. 3. Section 15-1201, Arizona Revised Statutes, is amended to read:

15-1201. SCHOOL DISTRICT BUDGET; FORM

A. Not later than July 3 each year the governing board of each common or high school district shall prepare and furnish to the county school superintendent and the state superintendent of public instruction a proposed budget for the current fiscal year, which shall contain the information and be in form as follows:

(Name and No. of District)

PROPOSED SCHOOL DISTRICT BUDGET

For the fiscal year July 1, 19__ to June 30, 19__

PURPOSE	No. of Employees		Adopted Budget	Actual Expenditures	Proposed Budget
	Past Fiscal Year	Current Fiscal Year	Past Fiscal Year	Past Fiscal Year	Current Fiscal Year
	19__	19__	19__	19__	19__
I. ADMINISTRATION					
Salaries					
Clerk and Employees of School Board	()	()	_____	_____	_____
Superintendent	()	()	_____	_____	_____
Asst. Superintendent	()	()	_____	_____	_____
Principals	()	()	_____	_____	_____
Asst. Principals	()	()	_____	_____	_____
Other Administrative Officers	()	()	_____	_____	_____
Secretarial and Clerical Assistants	()	()	_____	_____	_____
Supplies and Expense School Board			_____	_____	_____
Superintendent's Office			_____	_____	_____
Principal's Office			_____	_____	_____
Travel			_____	_____	_____
Total			_____	_____	_____

PURPOSE	No. of Employees		Adopted Budget Past Fiscal Year	Actual Expenditures Past Fiscal Year	Proposed Budget Current Fiscal Year
	Past Fiscal Year	Current Fiscal Year			
	19__	19__	19__	19__	19__
II. INSTRUCTION					
Salaries					
Supervisors of Instruction	()	()	_____	_____	_____
Guidance & Psychological Personnel	()	()	_____	_____	_____
Class Room Teachers	()	()	_____	_____	_____
Other Instructional Personnel	()	()	_____	_____	_____
Librarians	()	()	_____	_____	_____
Secretarial & Clerical Assistants	()	()	_____	_____	_____
Supplies and Expense					
Teaching Supplies			_____	_____	_____
Library Books			_____	_____	_____
Travel			_____	_____	_____
Other			_____	_____	_____
Total			_____	_____	_____
III. OPERATION OF SCHOOL PLANT					
Wages & Salaries					
Janitorial Employees	()	()	_____	_____	_____
Supplies and Expense					
Utilities			_____	_____	_____
Supplies			_____	_____	_____
Travel			_____	_____	_____
Other			_____	_____	_____
Total			_____	_____	_____

PURPOSE	No. of Employees		Adopted Budget Past Fiscal Year	Actual Expenditures Past Fiscal Year	Proposed Budget Current Fiscal Year
	Past Fiscal Year	Current Fiscal Year			
	19__	19__			
IV. MAINTENANCE OF SCHOOL PLANT					
Wages & Salaries					
Maintenance Employees	()	()	_____	_____	_____
Materials, Supplies and Expense			_____	_____	_____
Travel			_____	_____	_____
Contracts			_____	_____	_____
Total			_____	_____	_____
V. AUXILIARY AGENCIES					
Salaries					
Health Services	()	()	_____	_____	_____
Attendance Service	()	()	_____	_____	_____
Pupil Transportation	()	()	_____	_____	_____
Lunch Program	()	()	_____	_____	_____
*Physical Education —Intramural	()	()	_____	_____	_____
*Physical Education —Interscholastic	()	()	_____	_____	_____
*Prorate — Time Basis					
Expense					
Health Service			_____	_____	_____
Attendance Service			_____	_____	_____
Physical Education —Intramural			_____	_____	_____
Physical Education —Interscholastic			_____	_____	_____
Pupil Transportation			_____	_____	_____
Lunch Program			_____	_____	_____
Travel			_____	_____	_____
Other			_____	_____	_____
Total			_____	_____	_____

PURPOSE	No. of Employees		Adopted Budget Past Fiscal Year	Actual Expenditures Past Fiscal Year	Proposed Budget Current Fiscal Year
	Past Fiscal Year	Current Fiscal Year			
	19__	19__			
VI. FIXED CHARGES					
Rent or lease for a period not to exceed one year			_____	_____	_____
Insurance Premiums (Other than Personnel)			_____	_____	_____
Insurance Premiums for Personnel			_____	_____	_____
Industrial Compensation Premiums			_____	_____	_____
O.A.S.I. Contributions			_____	_____	_____
State Retirement Contributions			_____	_____	_____
Interest on Registered Warrants			_____	_____	_____
Other			_____	_____	_____
Total			_____	_____	_____
VII. CONTINGENCIES					
VIII. CAPITAL OUTLAY					
Textbooks			_____	_____	_____
Athletic Equipment			_____	_____	_____
Furniture & Equipment			_____	_____	_____
Transportation Equipment			_____	_____	_____
Additions, alterations, and improvements					
a. Salaries and wages			_____	_____	_____
b. Materials			_____	_____	_____
c. Contracts			_____	_____	_____
Other			_____	_____	_____
Total			_____	_____	_____
IX. TUITION TO OTHER SCHOOL DISTRICTS					
Grand Total			_____	_____	_____

****BUDGET SIX PER CENT LIMIT CHECK**

1. Grand Total Budget Past Fiscal Year _____
2. Subtract: Budget Past Fiscal Year for:
 - Capital Outlay (VIII) _____
 - Unused Tuition to Other School Districts (IX) _____
 - Amount Overbudgeted Based on Actual Average Daily Attendance _____
3. Equals Total Operational Budget for Past Fiscal Year _____
4. Total of Column 1, Item 10 _____
5. Total Operational Budget Per Pupil Per Annum for the Past Fiscal Year (Item 3 Divided by Item 4) _____
6. Add:
 - ***State Average Per Pupil Per Annum x 6% _____
7. Permissible Operational Budget Per Pupil Per Annum for Current Fiscal Year (Item 5 + Item 6) _____
8. Total of Column 2, Item 10
(If Total of Column 1, Item 10 is Larger, Such Figure May Be Used (A.R.S. 15-1201.01, B)) _____
9. Permissible Total Operational Budget for Current Fiscal Year (Item 7 x Item 8) _____
10. *Actual Attendance Information _____

	Column 1	Column 2
	Past Fiscal Year (Actual)	Estimated Current Fiscal Year
Eligible for State Aid		
Not eligible for State Aid		
(a) Kindergarten (At 1/2 Average Daily Attendance)		
(b) (a) Over 21		
(c) (b) Tuition		
Total Average Daily Attendance		

Attendance Information and Estimates Approved

COUNTY SCHOOL SUPERINTENDENT

*Pursuant to section 15-1212, subsection C, paragraph 5.

**In the fiscal year beginning July 1, 1969 and thereafter, do not execute items 1 through 4. Use item 7 from previous fiscal year as item 5 for current fiscal year except that for the school fiscal year 1970-1971 only, use either Item 7(a) or Item 7(b) of the previous fiscal year's budget.

***State average per pupil operation cost, as applicable to this section and as determined by the records of the state superintendent of public instruction, means:

The average amount budgeted per pupil for common school pupils for operational purposes, as defined by this section, for the year preceding the current budget year.

The average amount budgeted per pupil for high school pupils for operational purposes, as defined by this section, for the year preceding the current budget year.

SPECIAL LEVIES AND BOND SERVICE

PURPOSE	Adopted Budget Past Fiscal Year	Actual Expenditures Past Fiscal Year	Proposed Budget Current Fiscal Year
	19__	19__	19__
I. Special district levy for improvement of adjacent public ways	_____	_____	_____
II. Special district levy for building fund (Not to exceed 30¢ on \$100 valuation)	_____	_____	_____
III. Special levy for expenditures authorized pursuant to section 15-1245 (Memorandum only — Do not add)	_____	()	_____
IV. Bonded indebtedness			
Interest	_____	_____	_____
Redemption	_____	_____	_____
Total	_____	_____	_____

B. The board of trustees may, when preparing the school district's budget as required in this section and section 15-1202, budget an amount not to exceed ten per cent of the total of the following budgetary items: III. Operation of school plant, IV. Maintenance of school plant, V. Auxiliary agencies, VI. Fixed charges, as estimated in the proposed budget for the present fiscal year, and place that amount in a special category designated: "VII. Contingencies". This amount may be used for any necessary school expense except salaries, travel, capital outlay, special levies and bond service. Expenditures from the special category provided for by this subsection shall be charged to the appropriate item in the budget but in no event shall the total of the charges to the various budget items exceed the amount estimated for contingencies for the present fiscal year.

C. On or before March 15, beginning with the fiscal year which commences on July 1, 1968, the board of trustees shall adjust the expenditures based on average daily attendance as determined by section 15-1212, subsection C, paragraph 5, so that the total permissible operational budget per pupil per annum for the current fiscal year does not exceed the amount shown as item 7 in the budget six per cent limit check.

Sec. 4. Section 15-1201.01, Arizona Revised Statutes, is amended to read:

15-1201.01. BUDGET CONTROL; EXCEPTIONS

A. The funds budgeted under item VIII of the budget prescribed by section 15-1201 shall be used only for the purpose of capital outlay.

B. For the purposes of the budget six per cent limit check only, as prescribed by section 15-1201, the actual average daily attendance for the previous year may be used when such actual average daily attendance is greater than the estimated actual average daily attendance for the proposed budget year.

C. The budget six per cent limit check as prescribed by the terms of section 15-1201 shall not apply to any school district employing four classroom teachers or less.

D. FOR ANY SCHOOL DISTRICT WHICH ESTABLISHES A KINDERGARTEN, FOR THE FIRST YEAR ONLY ALL EXPENSES INCIDENT TO THE OPERATION OF THE KINDERGARTEN SHALL BE EXCLUDED FROM THE COMPUTATION INCLUDED IN THE BUDGET SIX PER CENT LIMIT CHECK PRESCRIBED BY THE TERMS OF SECTION 15-1201. THEREAFTER, THE EXPENSES INCIDENT TO THE OPERATION OF THE KINDERGARTEN SHALL BE INCLUDED IN THE PROPOSED SCHOOL DISTRICT BUDGET INCLUDING THE BUDGET SIX PER CENT LIMIT CHECK. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL PRESCRIBE

ANY NEW OR OPTIONAL SCHOOL DISTRICT BUDGET FORMS WHICH MAY BE REQUIRED FOR THE PURPOSE OF THIS SUBSECTION.

Sec. 5. Section 15-1212, Arizona Revised Statutes, is amended to read:

15-1212. APPORTIONMENT OF FUNDS

A. The board shall apportion the sum in the state school fund to the several counties on the basis of average daily attendance in the common and high schools in each county. No allowance shall be made for attendance of nonresident alien children, nor for wards of the United States for whom tuition is paid, but attendance of a student in a school of a county adjoining the county of his residence, whether within or without the state, under a certificate of educational convenience as provided by section 15-304, shall be deemed to be attendance in the school of the county or district of his residence.

B. Apportionments shall be made as follows:

1. On July 15, one-twelfth to the total amount to be apportioned during the fiscal year.

2. On September 15, one-sixth of the total amount to be apportioned during the fiscal year.

3. On November 15, one-fourth of the total amount to be apportioned during the fiscal year.

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

5. On March 15, one-sixth of the total amount to be apportioned during the fiscal year.

6. On May 15, one-fourth of the total amount to be apportioned during the fiscal year. The superintendent of public instruction shall furnish the treasurer and the school superintendent of each county an abstract of the apportionment, and shall certify the apportionment to the commissioner of finance, who shall draw his warrant in favor of the county treasurer of each county for the amount apportioned thereto. Upon receipt of the warrant the county treasurer shall notify the county superintendent that the amount thereof, together with any other monies standing to the credit of the county school fund, is subject to apportionment as prescribed by law.

C. As used in this ~~section~~ TITLE:

1. "Common school" means KINDERGARTEN AND the first to eighth grades inclusive.

2. "High school" means the ninth to twelfth grades inclusive.

3. "Night school" means a school operated at hours other than those during which the regular school is in session. For each student who attends and satisfactorily completes a specific course, the district shall be reimbursed by the state in the amount of ten dollars for each course satisfactorily completed.

4. "Daily attendance" means:

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

(i) OF THE KINDERGARTEN ATTENDS A MINIMUM OF ONE HUNDRED TWENTY MINUTES BUT SUCH ATTENDANCE SHALL BE COUNTED AS ONE-HALF DAY'S ATTENDANCE.

~~(i)~~ (ii) Of the first, second or third grades attends a minimum of two hundred forty minutes.

~~(ii)~~ (iii) Of the fourth, fifth or sixth grades attends a minimum of three hundred minutes.

~~(iii)~~ (iv) Of the seventh or eighth grades attends a minimum of three hundred sixty minutes, including in each case recreational periods, and in which a pupil regardless of grade is actually present during one or both of the two sessions into which the school day is divided, but attendance at one session only shall be counted as one-half day's attendance.

(b) For high schools, the attendance of a high school pupil shall not be counted a full day unless such pupil is actually and physically in attendance, enrolled in and carrying four subjects or the equivalent thereof that count toward graduation as defined by the state board of education, in a recognized high school, but attendance of a pupil carrying less than the load prescribed shall be prorated.

5. For the purpose of making appropriations and apportionment of the state and county aid and the determination of financial assistance, "average daily attendance" means the actual average daily attendance within the current school year. The board of trustees shall submit, for approval or revision, to the county school superintendent and the superintendent of public instruction the estimated actual average daily attendance of the district for the first six months of the school year. Prior to the final apportionment of state school funds on May 15, an adjustment shall be made based on actual average daily attendance for the first six months. In addition a new estimate and apportionment shall be made for the last three months by the school district which is approved by the superintendent of public instruction and which estimate shall be consistent with the actual average daily attendance achieved during the first six months of the school year.

D. The provisions of subsection C, paragraph 5, shall apply to title 15, chapter 12, articles 1 to 3, inclusive, and any reference to "average daily attendance for the preceding year", or "for the previous year", shall be determined as provided in paragraph 5.

E. Any determination of average daily attendance shall be based on the records of the superintendent of public instruction.

Sec. 6. Section 15-1221, Arizona Revised Statutes, is amended to read:

15-1221. DEFINITIONS

In this article, unless the context otherwise requires:

1. Assessed valuation means the net valuation set in accordance with law on real estate, improvements and personal property in each school district or county.

2. "Average daily attendance" means the average daily attendance as defined in section 15-1212.

3. "Basic cost of education" means that sum of money required to provide a minimum standard of education for each child in average daily attendance.

4. "Common school" means KINDERGARTEN AND the first to eighth grades inclusive.

5. "County aid" means the monies set aside from the county general fund by the board of supervisors, which, when added to the amounts appropriated by the legislature as provided in section 15-1211, shall equal two hundred dollars per capita per annum for common and high school education within the county.

6. "District qualifying tax rate" means the tax rate of ten cents per one hundred dollars assessed valuation of property in each common school district and ten cents per one hundred dollars assessed valuation in each high school district, which was levied by the county board of supervisors for the year's maintenance and operational expenses of each such district as a condition the district must meet to be eligible for participation in the state school financial assistance monies for the current year. In common school districts that are not in a high school district, the county board of supervisors shall have levied an additional ten cents levy in each such district, if the district is to qualify for the financial assistance for high school pupils. The district tax rate used for determining eligibility for financial assistance shall be computed exclusive of any financial assistance received by the district.

7. "Financial assistance" means the state monies distributed to school districts in order to permit each school district to maintain an educational program pursuant to the provisions of this article.

8. "High school" means the ninth to twelfth grades inclusive.

9. "Maintenance and operational expenses" means all categories of the school district budget, but is not to be construed to include special levies and bond service items.

10. "School district needs" means the amount of financial aid that each school district requires in order to afford each pupil in average daily attendance a basic cost of education.

11. "State aid" means the sum of money designated by the legislature to be allocated to the counties to be distributed to the districts upon the basis of the average daily attendance of the districts pursuant to sections 15-1211 and 15-1212.

Sec. 7. STATE KINDERGARTEN FUND; AID FOR KINDERGARTENS IN FISCAL YEAR 1971-1972

A. County monies on the basis of seventeen dollars fifty cents for each unit of average daily attendance of kindergarten pupils as determined pursuant to section 15-1212 shall be deposited with state monies appropriated to the state kindergarten fund. In addition each county shall provide for the inclusion of kindergartens in the distribution of monies deposited in the county school fund pursuant to section 15-1238, paragraphs 3 through 14 and the kindergarten portion shall be deposited in the state kindergarten fund.

B. The total of monies in the state kindergarten fund shall be available for payment to common school districts on the basis of each unit of their average daily attendance of kindergarten pupils pursuant to section 15-1212.

C. The amount payable to each school district from the state kindergarten fund for the fiscal year 1971-1972 shall be the equivalent amount which would otherwise be payable in state and county monies for the attendance of kindergarten pupils. The eligibility of any district for monies attributable to equalization or financial assistance shall be determined in the same manner as if the funds were derived from those sources rather than from the state kindergarten fund. No other state or county monies shall be paid to a common school district for the maintenance and operation of kindergartens during the fiscal year 1971-1972.

D. Beginning with the fiscal year 1972-1973 common schools which maintain kindergarten programs are eligible to receive state and county monies as otherwise provided by law.

Sec. 8. APPROPRIATION; PURPOSE

The sum of four million nine hundred thousand dollars is appropriated to the state kindergarten fund for the purpose of providing state assistance for the fiscal year 1971-1972 to common school districts maintaining kindergarten programs.

Sec. 9. EFFECTIVE DATE

The provisions of this act shall become effective on July 1, 1971.

Approved by the Governor—May 13, 1971

Filed in the Office of the Secretary of State—May 13, 1971
