## APPROPRIATIONS SUBCOMMITTEE ON EDUCATION Committee Report

Subcommittee on Education consisted of the following membership:

- Chairman Jill Norgaard
- Vice-Chairman Heather Carter
- Representative Lela Alston

Over the course of the 53<sup>rd</sup> Legislature – 2<sup>nd</sup> Regular Session, the Appropriations Subcommittee on Education met on six occasions. The intent of the Committee was to examine key education funding issues in the state. The agenda for each meeting is located in the Appendices as item A. The presentations reviewed by the Subcommittee are hyperlinked below under the correlating title.

- > January 17
  - o Arizona Department of Education (ADE) Issues: Funding and Formulas
    - JLBC Presentation
    - District Presentation
    - <u>Charter Presentation</u>
- January 24
  - ADE Issues: Funding and Formulas
    - ATRA Presentation
  - ADE Issues: Federal Title I Programs
    - Department Presentation
  - ADE Issues: Federal School Lunch Program
    - Department Presentation
- January 31
  - Schools for the Deaf and Blind
    - JLBC Presentation
    - Agency Presentation
  - o ADE Issues: Special Education
    - Department Presentation
- > February 7
  - Community Colleges
    - JLBC Presentation
    - <u>Community Colleges Presentation</u>
  - ADE Issues: Administrative/IT
    - Department Presentation
- > February 14
  - Proposition 301 Discussion
    - JLBC Presentation
- > February 21
  - Adoption of Report

## CHAIRMAN'S RECOMMENDATIONS

For decades Arizona has led the nation in opening educational options for families, and we are now seeing great successes and positive outcomes for students. Our students are outpacing the nation in performance growth in Math and English, and we are home to some of the best schools in the nation. As we celebrate these positive outcomes, we must turn our attention to school finance and funding concerns while maintaining our focus on ensuring every student has access to a quality education. Despite our best efforts, we have a school finance formula that has not kept pace with our changing educational landscape. As Arizona families continue to make choices and as our student population increasingly chooses to attend schools outside of designated school boundaries, we need to develop a dynamic school funding model that can adjust for the ongoing attendance shifts.

In addition, we need to gain a better understanding of all education funding in our state – where it is coming from, how it flows, and who is accountable. We also need to be willing to dive deeper and explore more complicated data sets in order to obtain a more holistic picture of the funding areas the state needs to address.

Over the past several weeks, the Appropriations Subcommittee on Education (the Subcommittee) met and discussed detailed aspects of the education funding formula, specific challenges with school funding, higher education issues, and challenges faced by the ADE. Through these meetings, members have gained a better understanding of the intricate nature of how our schools are funded and areas in which the state could improve while keeping a focus on what is in the best interest of Arizona's students and families.

## **Funding Formulas**

Arizona currently operates under two distinct funding formulas for public schools – one for districts and another for charters. While this may have been implemented with good intentions in the past, it no longer fits the needs of our state. As we make critical policy and funding decisions at the state level, we should do so with the intent of ultimately achieving a single formula that fills the basic needs of all our public schools.

In addition, the Executive proposes a five-year phase-in of district additional assistance (DAA) and charter additional assistance (CAA). These are formula dollars that have been withstood for nearly 10 years that districts and charters could be using for soft capital expenses, teacher salaries, and other educational purposes. Restoring these funds is important to the education community, and it is the right thing to do.

# BUDGET RECOMMENDATION: Approve the Governor's proposal to phase in DAA and CAA over the next five years.

## **Special Education**

According to testimony and stakeholder feedback, we do not have a clear picture of the cost of special education in our state or whether or not our funding mechanisms are still working as originally intended. We need to examine our current Group A and Group B weights to see if they work within the school choice environment we have created in our state and be prepared to make significant changes. We also need to encourage schools and families to use our choice environment to the benefit of the students. If public school systems have capacity and expertise that can be

centralized in any way, they should do so. Families with children with high needs should be encouraged to take advantage of options that may provide specific services and a quality educational environment.

Regardless of the choices available, the state should conduct a special education audit as it has done in the past, but with slightly different parameters. This cost study should examine:

- The application of Group B weights and Group A Amounts;
- Local education agency (LEA) applications of the funds received;
- The role of federal funds as opposed to state funds;
- Data on the dispersion of special education students and special education programs; and
- Unfunded special education costs, including a cost analysis of the highest cost disabilities.

## Arizona School for the Deaf and Blind

The Arizona School for the Deaf and Blind (ASDB) provides critical services to students and families. However, the structure of the ASDB creates some serious questions. Although the Tucson site population is declining, the costs to maintain the campus remain the same. It receives almost 50% of the General Fund funds allocated to the ASDB, yet it provides services to only a fraction of the students within the system. The Phoenix campus is at capacity, so perhaps that model is more efficient. These are ongoing concerns that the state should consider while making budget decisions.

The Early Childhood Program run by the ASDB provides special services to families with a child from birth to three with vision or hearing impairment. The Executive has recommended a \$2.1 million appropriation out of the Telecommunication for the Deaf Fund for the first year, with \$1.6 million being used for new employees and \$500,000 for new equipment. In FY 2020 the Executive would continue \$1.6 million in ongoing General Fund monies to support the additional employees.

BUDGET RECOMMENDATION: Authorize \$1.6 million in General Fund monies for the program in FY 2019. We should also challenge the agency to consider the efficiency of its model and to develop alternative solutions to alleviate the fixed expenses for facilities while still ensuring families have access to programs of their choice.

## Community Colleges

The state's community colleges play a critical role in developing our state's qualified workforce and provide higher education opportunities to a wide range of our citizens. Operating across the state, Arizona's community colleges offer degree programs, job training programs, certification programs, and other opportunities for our diverse populations. Although we did not take an extensive look at the formula used to determine community college funding, a closer examination of equalization aid, operating aid, and STEM aid is warranted. As we take the time to refresh our K-12 funding formulas, our community college formulas should receive the same treatment. All state aid funding was eliminated for Maricopa and Pima Community Colleges in FY2016. Last year, we wrote them back into the formula but did not allocate additional monies to fund them. The Executive does not recommend giving any additional funds for Maricopa and Pima.

# BUDGET RECOMMENDATION: In addition to the JLBC Baseline, increase STEM Aid by \$1.1 million for Maricopa Community Colleges and \$230,000 for Pima Community Colleges.

## Arizona Department of Education

## **Federal Programs**

Arizona receives about \$1 billion in federal education funding, but tracking exactly how that money is spent is a challenge. While it is not immediately clear, it would appear the large majority of the ADE more than 600 employees are working on federal programs. With that amount of manpower at the state level, it is important to identify and eliminate any duplication of efforts between the state and LEAs. As a principle, we should always strive for less bureaucracy at the state and administrative levels so that more money can reach the classroom where it is most effective.

Recently, it was discovered that there was a misallocation of federal funds by the ADE that took three years to uncover, and, while corrective measures are in place, federal approval of the state corrective action has not occurred. This creates a potential \$43 million liability for the state and requires budget corrections by LEAs all due to the incorrect actions of a large agency. While we would not suggest the Legislature provide full oversight over all federal education funds coming to this state, we do recommend that the state take more of an interest in these programs. Senate Bill 1152, currently moving through the process, proposes direct legislative oversight over noncustodial funds within ADE. We are one of only five states with no statutory authority over federal funds, and we should consider taking a stronger role in knowing and following the federal funds flowing through our state and eliminating excess at the state level.

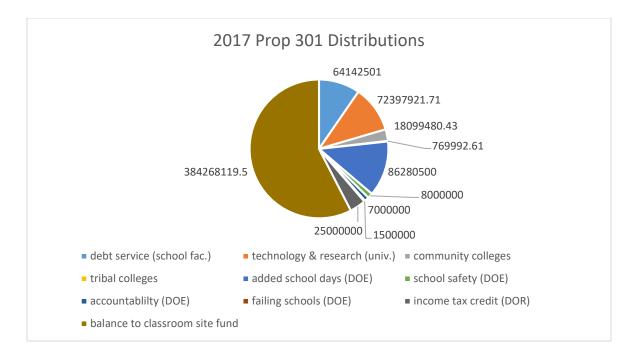
## **Data System**

School funding, accountability, student performance, and educator tools – these all are critical to our education system and require access to accurate and timely data. In the past seven budget cycles, the state has allocated \$45.8 million in General Fund monies to the ADE for the development of a new data system that would serve the needs of the state and the LEAs. Despite the funds expended and the time that has past, the data system is still incomplete and not delivering the promises originally expressed at the start of the project. The state, parents, educators, and students deserve to have reliable data driving education decisions. This should include robust and current school report cards that are easily accessible online. It should include timely information for policymakers as well as up-to-date, real time and comprehensive information to make data-driven decisions. It should include detailed school information including teacher demographics, teacher shortage details, student counts, letter grades, and other measures of school outcomes. It is disappointing that we are having the same conversations about this project year in and year out.

## BUDGET RECOMMENDATION: Authorize \$2.65 million in ongoing data system maintenance.

## Prop 301

The larger conversation regarding the renewal of Proposition 301 is critical to education funding in Arizona, and we should be meeting to learn about the intricacies of the education policies, tax implications, and school funding risks that must be considered in a renewal process. Policymakers and the public need to understand what has been in place for nearly 20 years and start outlining what our priorities should be as we look to the future. Many are surprised to see the many different programs funded by Prop 301. Examining the distributions is critical to starting the dialogue regarding a renewal. The distributions are as follows:



Total Collected	\$ 667,458,515.20	
TREASURER DISTRIBUTIONS		
debt service (school fac.)	\$ 64,142,501.00	
technology & research (univ.)	\$ 72,397,921.71	
community colleges	\$ 18,099,480.43	
tribal colleges	\$ 769,992.61	
added school days (DOE)	\$ 86,280,500	
school safety (DOE)	\$ 8,000,000	
accountability (DOE)	\$ 7,000,000	
failing schools (DOE)	\$ 1,500,000	
income tax credit (DOR)	\$ 25,000,000	
balance to classroom site fund	\$ 384,268,119.45	
*Data from the State Treasurer's Office		

\*Data from the State Treasurer's Office

The Subcommittee heard a presentation and public comment to better understand the distributions and policies involved. While this was only a start to the process, some potential concerns rose to the forefront.

## **SFB Deficiency Bonds**

The first allocation of money from Prop 301 goes to School Facilities Board Deficiency Bond debt payments. These will be paid in full when the tax expires, so these monies could be reallocated for other purposes under a renewal, specifically to teacher pay. If a teacher shortage is our most critical education issue, it should be treated as such in the Prop 301 distributions.

## **Classroom Site Fund**

The Classroom Site Fund (CSF) receives the bulk of the Prop 301 funds after money is distributed to other programs. LEAs use the CSF for teacher pay and maintenance and operations. Testimony in committee demonstrated the

volatile nature of the CSF, giving schools a moving target each year for classroom budgeting, especially during economic downturns. Any renewal of Prop 301 should ensure that classrooms are prioritized first and attempt to create a more predictable income for LEAs to use for teacher salaries and other classroom expenses.

## Policies

Any policy decisions made in a renewed Prop 301 should be based on data and facts – delineated explanations of how money was spent within each bucket is critical for policymakers to determine the best use for the monies. This includes distributions to universities, community colleges, tribal colleges, failing school tutoring, school accountability, school safety, and character education. If we do not know what has been accomplished with the money or what the real impact would be if the money was no longer available, we cannot make sound policy decisions.

In addition, it was brought to light through testimony that Prop 301 monies are distributed based on prior year student counts, but the state funds schools based on current year student counts. We need to ensure that any renewed Prop 301 match our current state policy landscape for continuity purposes.

Finally, as state leaders embark on potential renewal of the sales tax, we should be mindful of any holes in funding that would be created without the funds. For example:

- Money would no longer be generated for the CSF, causing approximately a \$5,315 salary hit per teacher; and
- The state would be short \$86.3 million to fund the full statutorily required 180 school days, which would likely need to come from the General Fund.

With more time to talk through the spending priorities, there would likely be more consequences that could be considered. These are policy decisions that we will need to make. What should we be funding? What are we willing to transfer to the General Fund?

It was clear through these Subcommittee meetings that ongoing conversations need to be started to contemplate the complexities of these issues. The funding formulas, Prop 301, and special education certainly need to be explored and discussed at length in order to produce valuable school funding reforms. Where our state faces significant challenges, we are also presented with great opportunities to improve our educational landscape. We have already come a long way with our education performance outcomes, and we need to ensure our school funding and finance policies support what we have accomplished. The Prop 301 renewal discussion presents a great opportunity to continue exploring all of these policy and funding topics.

Appendices

A. Appropriations Subcommittee on Education 2018 agendas

B. Minority Report

#### **APPENDIX A**

#### ARIZONA HOUSE OF REPRESENTATIVES Fifty-third Legislature - Second Regular Session

#### **REGULAR MEETING AGENDA**

## COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

DATE Wednesday, January 10, 2018

Ms. Alston

Mr. Shooter, Ex-Officio

ROOM HHR 4

TIME NOT MEETING

Members:

Mrs. Carter, Vice-Chairman

Mrs. Norgaard, Chairman

With permission of the Speaker the Committee on Appropriations Subcommittee on Education will not meet on Wednesday, January 10, 2018

TG 1/3/18

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#### **REGULAR MEETING AGENDA**

#### COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

DATE Wednesday, January 17, 2018

ROOM HHR 4

TIME 10:30 A.M. NOTE TIME CHANGE

Members:

Ms. Alston Mr. Shooter, Ex-Officio Mrs. Carter, Vice-Chairman Mrs. M

Mrs. Norgaard, Chairman

1. Introductions

2. Overview of Education Funding Formulas

TG 1/11/18

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#### **REGULAR MEETING AGENDA**

#### COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

DATE Wednesday, January 24, 2018

ROOM HHR 4

TIME 9:30 A.M. NOTE TIME CHANGE

Members:

Ms. Alston Mr. Shooter, Ex-Officio Mrs. Carter, Vice-Chairman

Mrs. Norgaard, Chairman

1. Continuation of Funding Formula Presentations

2. Overview of Title I and School Lunch Funding

TG 1/18/18

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#### REGULAR MEETING AGENDA

#### COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

DATE Wednesday, January 31, 2018

ROOM HHR 4

TIME 10:30 A.M. NOTE TIME CHANGE

Members:

Ms. Alston Mr. Shooter, Ex-Officio Mrs. Carter, Vice-Chairman

Mrs. Norgaard, Chairman

1. Budget Presentation on the Arizona Schools for the Deaf and the Blind.

2. Overview of Special Education Funding.

TG 1/25/18

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#### ARIZONA HOUSE OF REPRESENTATIVES

#### **REGULAR MEETING AGENDA**

#### COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

DATE Wednesday, February 7, 2018

ROOM HHR 4

TIME 9:30 A.M. NOTE TIME CHANGE

Members:

Ms. Alston

Mrs. Carter, Vice-Chairman

Mrs. Norgaard, Chairman

1. Overview of ADE Administrative and IT Funding

2. Budget Presentation on Community Colleges

TG 2/1/18

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## ARIZONA HOUSE OF REPRESENTATIVES

Fifty-third Legislature - Second Regular Session

#### **REGULAR MEETING AGENDA**

#### COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

DATE Wednesday, February 14, 2018

ROOM HHR 4

TIME 9:30 A.M. NOTE TIME CHANGE

Members:

Ms. Alston Mr. Livingston, Ex-Officio Mrs. Carter, Vice-Chairman

Mrs. Norgaard, Chairman

Discussion on Proposition 301 .

TG

2/8/18

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#### **APPENDIX B**

## Arizona House of Representatives – Appropriations Subcommittee on Education FY 2019 Budget Priorities – Minority Budget Report – State Representative Alston, Ranking Member February 14, 2018

Arizona is a fast-growing, culturally and geographically diverse land of opportunity. But families in our communities are still falling behind. Our vast potential as a state will remain unmet until we make the investments in education, health and infrastructure that a 21<sup>st</sup> century economy demands. House Democrats are committed to investing in policies that will improve our quality of life now, while promoting a stronger, more sustainable future. This philosophy shapes our budget priorities.

Over the last decade Arizona's public education system has been cut and chronically underfunded by more than \$4.5 billion. While the Governor's budget recommends restoring \$100 million in District and Charter Additional Assistance, it still falls short of fully reversing the \$116 million in cuts that occurred in FY 2016. Furthermore, the budget proposal fails to provide additional support to our public universities to help address rising tuition costs.

The budget recommendations below comment on various policies proposed in the Governor's FY 2019 budget, provide alternative methods for financing Arizona's future, and advocate for additional health initiatives to serve the public. The funding priorities recommended for FY 2019 are above and beyond the JLBC baseline budget. With respect to Arizona's education system, House Democrats will support programs and policies that invest in our public schools, focus on educational excellence and equity, and provide an accessible high-quality education for all Arizona's children.

#### Ranking Member Comments – Governor's Proposed FY 2019 Budget and Agency Presentations

With respect to the initiatives proposed in the Governor's FY 2019 budget, comments are provided below in terms of support, opposition or other observations. The comments cover the presentations that were provided during the House Sub Appropriations Subcommittee on Education hearings during January and February 2018. In addition, they also cover the presentations by the Department of Education and Arizona's public universities during the full Appropriations Committee hearing on 2/7/18.

#### ADE Issues – Funding Formulas (1/17/18)

• No comments at this time.

#### ADE Issues – Title I/School Lunch Issues (1/24/18)

• No comments at this time.

#### Arizona State Schools for the Deaf and Blind (1/31/18)

• Ranking member is supportive of the Executive's proposal to provide \$2 million to ASDB to hire 21 new teachers for the Early Childhood and Family Education program.

#### ADE Issues – Special Education (1/31/18)

• Ranking member recognizes the challenges with this approach – but would be supportive of future efforts to adequately fund additional supports for special education students.

#### Arizona Community Colleges (2/7/18)

• Ranking member is supportive of efforts to restore STEM funding to Pima and Maricopa Community College Districts, which would cost approximately \$15 million. However, ranking member recognizes that the overall need for both community college districts is much greater.

#### Universities (2/7/18)

- Ranking member is generally supportive of continuing a one-time capital appropriation of \$8 million to the universities in the Executive's proposed FY 2019 budget; however, Ranking member notes that the amount provided represents a \$7 million decrease from the FY 2018 budget, and a total amount of \$15 million should be provided instead.
- Ranking member is supportive of the concept of the Arizona Teacher's Academy, which has 230 students currently participating; however, efforts should be made to fully fund the costs of the Academy.
- Ranking member is generally supportive of the universities' proposal to move Arizona towards a resident funding model which would require the state to pay 50% of the costs to educate a student at Arizona's public universities; however, further discussions of the proposal should include efforts to reduce the cost tuition and fees.

#### Department of Education (2/7/18)

- Ranking member is supportive of the Executive's proposal to move the 2% teacher pay raise into the base level.
- Ranking member is generally supportive of the Executive's proposal to provide \$5.3 million in ongoing funding to the Department of Education for the operation of its IT System; however, ranking member would support fully funding the Department's request of approximately \$10.3 million.

### **Education – Democratic Funding Priorities and Alternatives**

The table below provides alternative recommendations that could be adopted to further enhance education funding in Arizona. The top four policy initiatives would generate sufficient revenue (FY 2019 preliminary estimate - \$74 million) to fund a selection of policy initiatives recommended in the table that have various general fund impacts. The table also includes policy changes that recommend discrete baseline choices that prioritize different funding needs.

Initiative	Description	Bill # and Sponsor
1. Enhance DOR Audits and Collections	<ul> <li>Appropriates \$8.3 million from the general fund in FY 2019 to rehire audit and collections teams at the Department of Revenue to ensure corporate tax compliance and the integrity of Arizona's tax system</li> <li>Preliminary revenue impact is a net positive general fund increase of \$26.3 million in FY 2019 and \$60.9 million in FY 2020 and later years</li> </ul>	HB 2137 (Espinoza)
2. Freeze the corporate STO tax credit cap at the FY18 level	<ul> <li>Policy would freeze the corporate school tuition organization (STO) tax credit cap at the FY 2018 level, otherwise it would continue to grow by 20%</li> <li>Further analysis is needed, but the 1/18/18 JLBC Finance Advisory Committee analysis suggested a freeze would result in approximately \$15 million in savings for the general fund for FY 2019</li> </ul>	HB 2292 (Friese)
3. Freeze insurance premium tax phasedown	<ul> <li>Policy would freeze the insurance premium tax rate at the current 1.85% rather than allowing the tax rate to phase down</li> <li>Preliminary revenue impact would begin in FY 2020, with net positive general fund revenues of \$4.3 million in FY 2020, \$9.0 million in FY 2021 and \$14.2 million in FY 2022</li> </ul>	HB 2255 (Salman)
4. Eliminate selected transaction privilege tax (TPT) exemptions	<ul> <li>Eliminates selected TPT (sales) tax exemptions, most notably for out-of-state resident car purchases, chicken steroids, horse vitamins, railroad ties, 4" pipes and service contracts and warranties</li> <li>Preliminary revenue impact is a positive general fund increase of approximately \$53.3 million annually</li> </ul>	HB 2571 (Friese)

5. Transfers General Fund	• Appropriates \$5.5 million in FY 2019 to the Arizona Board of	HB 2375
funding from the "Freedom Schools" to the Arizona's	Regents (ABOR) for the operation of Arizona's Teachers Academy	(Fernandez)
Teachers Academy	• Specifies the intent of the Legislature is for the additional funding to be offset by eliminating state support in the FY	
	2019 Baseline to the School of Civic and Economic Thought and Leadership at ASU and the Center for the Philosophy of Freedom at UA	
4. Shift Results-Based Funding dollars to District Additional Assistance	<ul> <li>Eliminates the Results-Based Funding Program and utilizes the \$37.6 million allocated in the FY 2019 Baseline to further restore District Additional Assistance</li> </ul>	HB 2574 (Friese)
5. Create a Poverty Weight in the K-12 Funding Formula	• Establishes a .250 student support level weight for students in poverty, foster care, facilities for neglected children or facilities for delinquent children	HB 2070 (Bolding)
	<ul> <li>This weight would generate an additional \$231 million in basic state aid for schools serving these populations</li> </ul>	
6. Renew funding of \$100,000 for Geographic Literacy	<ul> <li>Ranking member is supportive of renewing the onetime appropriation provided in the FY 2018 budget of \$100,000 to the Department of Education for purposes of the geographic literacy program</li> <li>Ranking member is supportive of classifying this as an ongoing</li> </ul>	
7. Destant funding to Oth	appropriation	110.2250
7. Restore funding to 9 <sup>th</sup> grade JTED programs that have a demonstrated workforce need	<ul> <li>Appropriates \$6.1 million from the general fund in FY 2019 to the Department of Education to restore funding to 9<sup>th</sup> Grade JTED programs that serve a workforce need in the subject areas of agri-science, automotive technologies, construction technologies, manufacturing or engineering</li> </ul>	HB 2350 (Engel)
8. Enhance funding for the Arizona Financial Aid Trust	<ul> <li>Appropriates \$23.7 million from the general fund in FY 2019 to the Arizona Financial Aid Trust Fund</li> <li>This is the amount required to meet Arizona's statutorily required portion of the two-to-one match</li> </ul>	HB 2223 (Salman)
9. Lead testing for Charter Schools	• Appropriates \$100,000 from the general fund in FY 2019 to the Department of Environmental Quality for lead testing of drinking water in charter schools	HB 2352 (Engel)
10. Fund the national guard tuition reimbursement program	• Appropriates \$1.4 million from the general fund in FY 2019 to fund the Arizona national guard tuition reimbursement program at the Department of Emergency and Military Affairs	HB 2475 (Andrade)
11. Restore Funding to Pima and Maricopa Community College Districts	• Appropriates \$15.9 million from the general fund in FY 2019 for operating state aid and STEM and workforce aid to Pima and Maricopa County Community College districts	HB2559 (Powers Hannley)
12. Provide funding to Santa Cruz Provisional Community College District	<ul> <li>Appropriates \$250,000 from the general fund in FY 2019 for workforce development aid</li> </ul>	HB2583 (Gabaldon)
13. Provide additional TPT revenue to Navajo Technical University	<ul> <li>Beginning in calendar year 2019, would allow Navajo County to retain an additional \$1 million of TPT revenues</li> </ul>	HB2481 (Descheenie)

14. Create a classroom teacher supply assistance program	Appropriates \$8.7 million in FY 2019 to provide classroom supply assistance to Arizona teachers	HB2373 (Engel)
Total Baseline Shifts = \$43.1 million Total Ongoing Spending Initiatives (General Fund) = \$57.3 million K-12 Funding Formula Changes = \$231 million		